



City of Goodyear

Meeting Minutes

City Council Regular Meeting

Meeting Location:
Goodyear Justice Center
14455 W. Van Buren St.,
Suite B101
Goodyear, AZ 85338

Mayor Georgia Lord
Vice Mayor Joe Pizzillo
Councilmember Joanne Osborne
Councilmember Sheri Lauritano
Councilmember Wally Campbell
Councilmember Bill Stipp
Councilmember Sharolyn Hohman

Monday, April 28, 2014

6:00 PM

Goodyear Justice Center

1. CALL TO ORDER

Mayor Lord called the Regular Meeting to order at 6:05 p.m.

2. PLEDGE OF ALLEGIANCE & INVOCATION BY VICE MAYOR PIZZILLO

3. ROLL CALL

Council Present 7 - Mayor Lord, Vice Mayor Pizzillo, Councilmember Osborne, Councilmember Lauritano, Councilmember Campbell, Councilmember Stipp, and Councilmember Hohman

Councilmember Campbell attended the meeting via teleconference.

Staff Present: City Manager Brian Dalke, Assistant City Attorney Sarah Chilton and City Clerk Maureen Scott.

4. COMMUNICATIONS

4.1 [CO 154-14](#) Proclaim May 4, 2014 through May 10, 2014 as Municipal Clerks Week.

City Clerk Maureen Scott introduced the staff of the Goodyear City Clerk's Office. She presented information regarding National Municipal Clerks Week. Mayor Lord read a Proclamation declaring May 4, 2014, through May 10, 2014, as Municipal Clerks Week.

4.2 [CO 156-14](#) Recognition of three Police Department graduates.

Police Chief Geier recognized three Police Department employees who recently graduated from the top three nationally recognized training programs in the country.

1. Lt. James Hernandez - Northwestern University School of Police Staff and Command
2. Lt. Jimmy Rodriguez - FBI National Academy in Quantico, Virginia
3. Deputy Chief Jeff Rogers, Administrative Officer's Course at Southern Police Institute at Louisville, Kentucky. He was named Dean's Scholar at the University of Louisville for earning A's in all of his classes.

- 4.3 [CO 157-14](#) Provide Council with an end of season report for 2014 Spring Training.

Bruce Kessman, Ballpark General Manager, provided a performance summary for the 2014 Spring Training season. A record was set for single season gross revenues, which were approximately \$4.7M. This season's attendance was 136,919. Average game attendance was up three percent over last year. Concessions, souvenirs, parking and sponsorships all increased this year.

Kessman reviewed various promotions used to create positive fan experiences. He reviewed the In-Park Survey Data Comparison. Goodyear received outstanding remarks in the categories of Friendliness of Staff, Cleanliness of Facility, Quality of Food and Quality of Experience.

5. **CITIZENS COMMENTS/APPEARANCES FROM THE FLOOR**

None.

6. **CONSENT**

- 6.1 [MINUTES](#) **APPROVAL OF MINUTES**
[33-2014](#) **RECOMMENDATION:**

Approve draft meeting minutes from a Regular Meeting held on April 14, 2014.

- 6.2 [14-5237](#) **LIQUOR LICENSE FOR PALM VALLEY GOLF CLUB**
RECOMMENDATION:

Approve a request from Andrea D. Lewkowitz, agent/applicant for Wedgewood Beverage, Inc., doing business as Palm Valley Golf Club, for a Series 6 Person Transfer Liquor License #06070037, located at 2211 N Litchfield Road, Goodyear, Arizona. (Generally located near the southeast corner of N. Litchfield Road and W. Palm Valley Blvd).

- 6.3 [14-5256](#) **IGA WITH ADOT FOR LANDSCAPING ALONG THE SR303**
RECOMMENDATION:

ADOPT RESOLUTION 14-1616 TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF ARIZONA, ACTING BY AND THROUGH ITS DEPARTMENT OF TRANSPORTATION TO ESTABLISH RESPONSIBILITY FOR FUNDING, INSTALLATION AND MAINTENANCE RESPONSIBILITIES OF LANDSCAPING TO BE CONSTRUCTED WITH THE SR303 - THOMAS ROAD TO CAMELBACK ROAD SEGMENT.

- 6.4 [14-5257](#) **EXCLUSIVE WATER LINE EASEMENT FOR CANTAMIA**
RECOMMENDATION:

Accept the dedication of an exclusive water line easement for Parcel 12 of the CantaMia at Estrella Mountain Ranch Development from the CantaMia at Estrella Community Association Inc., an Arizona non-profit corporation.

- 6.5 [14-5260](#) **INTERIM WELL SHARING AGREEMENT FOR THE FORMER DUNCAN FARMS PROPERTY**

RECOMMENDATION:

Approve the issuance of an Interim Well Sharing Agreement "Agreement" for one year with four additional, optional, one-year terms for the non-potable well located southwest of Indian School Road and Cotton Lane.

MOTION BY Councilmember Lauritano, SECONDED BY Councilmember Stipp, to APPROVE Consent Agenda Items 6.1 - 6.5. The motion carried by the following vote:

Ayes 7 - Mayor Lord, Vice Mayor Pizzillo, Councilmember Osborne, Councilmember Lauritano, Councilmember Campbell, Councilmember Stipp, and Councilmember Hohman

7. BUSINESS**7.1 [14-5230](#) LIQUOR LICENSE FOR THE BURGER JOINT**

Sue Brungardt, Deputy City Clerk, presented. The Office of the City Clerk received this application from owner/applicant Jason Bates for a new Series 12 Liquor License on March 3, 2014. The Burger Joint opened for business in March 2013, and the applicant purchased the restaurant in November 2013. The Burger Joint is not a franchise restaurant. A Series 12 license is for a restaurant and is non-transferable. Mr. Bates would like to offer the option of beer and wine sales to his customers.

MOTION BY Councilmember Stipp, SECONDED BY Councilmember Hohman, to APPROVE a request from Jason Bates, Owner/Applicant, representing Sybarite, LLC, doing business as The Burger Joint, for a new Series 12 liquor license, #12079827, located at 525 N Estrella Parkway #105, Goodyear, Arizona. The motion carried by the following vote:

Ayes 7 - Mayor Lord, Vice Mayor Pizzillo, Councilmember Osborne, Councilmember Lauritano, Councilmember Campbell, Councilmember Stipp, and Councilmember Hohman

7.2 [14-5239](#) LIQUOR LICENSE FOR RUDY'S COUNTRY STORE & BAR-B-Q

Sue Brungardt, Deputy City Clerk, presented. The Office of the City Clerk received this application on March 10, 2014. Rudy's Country Store and Bar-B-Q is an old-fashioned country store and meat market that originated in Texas. The original location, which got its start as a one-stop gas station, garage and grocery store, added barbecue in 1989. Rudy's is not a franchise operation, but has locations in Oklahoma, Colorado, New Mexico, and Chandler, Arizona. Rudy's is currently under construction and plans to open in June 2014. They will sell beer and wine in the restaurant area, as well as packaged sales to be taken off the premises.

MOTION BY Councilmember Stipp, SECONDED BY Vice Mayor Pizzillo, to APPROVE a request from Randy Nations, Agent Applicant, representing Rudy's West Bar-B-Que LLC, doing business as Rudy's "Country Store" & Bar-B-Q (Rudy's), for a Series 7 Person Transfer/Location Transfer liquor license, #07070105, located at 845 N. Litchfield Rd, Goodyear, Arizona. The motion carried by the following vote:

Ayes 7 - Mayor Lord, Vice Mayor Pizzillo, Councilmember Osborne, Councilmember Lauritano, Councilmember Campbell, Councilmember Stipp, and Councilmember Hohman

**7.3 [14-5229](#) **AMEND PALM VALLEY PHASE V PLANNED AREA
DEVELOPMENT TO CHANGE THE LAND USE DESIGNATION****

Mayor Lord opened the Public Hearing at 6:31 p.m.

Joe Schmitz, Planning Manager, presented. This request is for an amendment to the Palm Valley Phase V Planned Area Development (PAD) to change the land use designation on 9.70 acres at the northwest corner of Indian School Road and Falcon Drive. The current zoning designation for this parcel within the Palm Valley Phase V PAD is Mixed Use Commercial, subject to compliance with the General Commercial zoning district criteria. This zoning amendment would change the designated land use for the property to High Density Residential, subject to compliance with the Multi-family zoning district criteria, as amended by the development standards defined within the Avilla Planned Area Development (PAD) Amendment.

The proposed Avilla Homes development contains 125 attached or detached single-story residential dwellings at a density of 12.9 units per acre. As stated in the PAD Amendment narrative, Avilla is a planned “leased home neighborhood” that combines the elements of single-family and multi-family residential living environments. While the residential units are leased in a manner similar to a typical garden apartment complex with common amenities and property management, each residential unit within Avilla includes a private fenced patio or rear yard space for individual tenant use and enjoyment, similar to that associated with traditional single-family residential living.

The residential units within Avilla will be a mix of one, two and three bedroom single story homes ranging in size from 635 sq. ft. to 1,244 sq. ft. As proposed, there will be 26 one-bedroom units, 62 two-bedroom units and 37 three-bedroom units. Each unit within Avilla will contain a private rear yard space or patio area enclosed by a masonry wall that generally will be 8 feet in depth along the width of the unit (35 to 45 feet) providing from 280 to 360 square feet of private open space per unit. The units planned along the northern and western edges of the development adjacent to the existing single-family homes will have a rear yard depth of 20 feet providing 700 to 900 square feet at each of those units. The two and three bedroom homes will be detached units and account for approximately 80% of the proposed homes, while the one bedroom homes will be attached in a duplex style. The majority of the proposed units in Avilla are clustered in groupings of four to six units around a pedestrian courtyard to create a sense of place and to provide the opportunity for resident interaction and connection.

The Applicant submitted a petition from 106 people in support of the Avilla PAD Amendment.

The City received 55 written protests from neighbors surrounding the project. Staff has verified that the written protests represent more than 20% of the land area within 150 feet directly

opposite of or adjacent to the side of the subject property. Accordingly, Article 1, Section 1-3-1(D) of the City's Zoning Ordinance requires a favorable vote of three-fourths of the governing body (6 out of 7 members) to approve and adopt the proposed ordinance.

The following Goodyear citizens spoke against the proposed project, voicing concerns regarding traffic impacts, school impacts, parking adequacy, density of development, and the architecture of the residential units. Some residents in attendance expressed a preference for commercial development of the property under the existing zoning rather than the proposed multi-family zoning and development contained in this PAD amendment:

1. Joal Ranus
2. Kelly Bohm
3. Steven Treger
4. Mike Hartwick
5. David B. Harris
6. Dustin Jones
7. Shaine Alleman

The following spoke in support of the PAD amendment:

1. Josh Hartmann - Developer of the property
2. Libby Ekre - Property Manager for the proposed property
3. Richard Merritt - Eric Pollack and Company
4. Michael Curley - Attorney speaking on behalf of the owner
5. Paul Johnson - Owner of the property

Mayor Lord closed the Public Hearing at 7:26 p.m.

MOTION BY Councilmember Stipp, SECONDED BY Councilmember Osborne, to ADOPT ORDINANCE NO. 14-1291 REZONING APPROXIMATELY 9.70 ACRES GENERALLY LOCATED AT THE NORTHWEST CORNER OF INDIAN SCHOOL ROAD AND FALCON DRIVE BY AMENDING ORDINANCE NO. 03-858 AS IT APPLIES TO THE PROPERTY BY ADOPTING THE AVILLA PLANNED AREA DEVELOPMENT (PAD) AMENDMENT DATED FEBRUARY 7, 2014 TO GOVERN THE DEVELOPMENT OF THE PROPERTY; AMENDING THE ZONING MAP OF THE CITY OF GOODYEAR; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. The motion carried by the following vote:

Ayes 7 - Mayor Lord, Vice Mayor Pizzillo, Councilmember Osborne, Councilmember Lauritano, Councilmember Campbell, Councilmember Stipp, and Councilmember Hohman

Council Discussion:

>**Asked about screening of residential applicants.** Libby Ekre, property manager for the proposed development, responded that applicants are required to sign a lease and addendum agreeing to abide by rules for the community. This covers issues relating to noise, pets, furniture, vehicles, etc. If tenants don't adhere to the rules, they can be evicted.

>How much will the units be leased for? Ekre responded that leases will range from \$800 - \$1,300 per month.

>Asked if there will be an impact to Fire Services - Fire Chief Luizzi responded that the area is covered by two fire stations with Fire Station 185 to the west and Fire Station 183 to the east. The platted area wouldn't cause an increase to fire services.

>Are any traffic flow problems anticipated on Indian School Rd. and Falcon Drive as a result of the proposed development. Luke Albert, Traffic Engineer, responded that staff observed traffic flow in the area during the peak traffic morning hours. As a result, some operational changes were made to increase the green light signal time for the northbound and southbound traffic. There is more room to increase the green signal time as traffic increases to lessen the impact in the area. He doesn't anticipate a negative impact to traffic. Albert stated that staff implemented a four-way stop control at 152nd Avenue and Meadowbrook. They also added crosswalks for the school crossings in the area. Crash data for the intersection of 152nd Avenue and Falcon Drive indicate there have been two crashes in five years. Staff doesn't feel any changes need to be made at that location.

>Traffic area around the school. Albert stated that they observed traffic around the school and noticed that the vehicles were not pulling all the way onto the site during drop-off and pick-up times. They were stopping in the most convenience location as opposed to the most appropriate location, which resulted in traffic backing up onto Falcon Drive. Police Department personnel spoke to school staff to ask their help in educating parents on appropriate drop off areas in order to help alleviate traffic congestion on Falcon Drive.

>Open space within the community. Are backyards sharing the same wall or is there a buffer?

Schmitz responded that homes abutting the new development will be sharing the same backyard block wall with the new homes. There will be approximately twenty feet from the back door of homes in the new development to the property line wall.

>Asked about the possibility of having to bus students to different schools due to overcrowding - Schmitz stated it is possible that as schools in the area approach capacity, children could be bussed to other schools that have capacity. Schools support development because it is development that helps generate the revenue that allows them to expand their facilities and justifies construction of new schools. Until that happens, they also have to deal with overcrowding issues.

>Discussed possibly adding trees to add a visual screen between the existing homes and the proposed housing units.

>Is this low-income or Section 8 property? Attorney Michael Curley responded no. This will be above-market housing in the price range of \$850 to \$1,300 per month. The renter profile typically doesn't have children so there will be a minimal impact on schools.

>Would like to expand the 1.1 acre area which is designated for usable open space. Curley responded that they already increased the open space area to meet multi-family standards. The developer will agree to commit to the 1.1 acre open space having no retention areas included.

>Would like to have this type of community included in upcoming discussions to revise the City's Design Guidelines.

>Thanked citizens, staff and developers for working together to find solutions to issues surrounding this proposed development. Council has worked hard to come up with a "win/win" solution. The development plans have been changed from the original plans to

make this a Goodyear quality product, and it fills a need for our community.

Council agreed that stipulations should be added to the proposed Ordinance Number 14-1291.

MOTION BY Vice Mayor Pizzillo, SECONDED BY Councilmember Osborne, to AMEND THE MOTION to add two stipulations to Ordinance 14-1291.

Stipulation 1 - Design of the garage structures shall receive comparable architectural treatment as the residential structures.

Stipulation 2 - The common open space area shall be turf and shall not be used for above-grade storm water retention.

The motion carried by the following vote:

Ayes 7 - Mayor Lord, Vice Mayor Pizzillo, Councilmember Osborne, Councilmember Lauritano, Councilmember Campbell, Councilmember Stipp, and Councilmember Hohman

Mayor Lord recessed the Regular Meeting at 8:29 p.m.

Councilmember Osborne left the Regular Meeting due to illness.

Mayor Lord resumed the Regular Meeting at 8:38 p.m.

MOTION BY Councilmember Stipp, SECONDED BY Vice Mayor Pizzillo, to EXCUSE Councilmember Osborne from the remainder of the Regular Meeting. The motion carried by the following vote:

Ayes 6 - Mayor Lord, Vice Mayor Pizzillo, Councilmember Lauritano, Councilmember Campbell, Councilmember Stipp, and Councilmember Hohman

Excused 1 - Councilmember Osborne

7.4 [14-5241](#) SELECTION OF FINANCIAL AUDIT FIRM

Finance Director Larry Lange presented. Goodyear City Charter states that the Council shall designate qualified certified public accountants who, at the end of the fiscal year, shall make an independent audit of accounts and other financial transactions of the City government. The Council may enter into a contract for auditing services for a period in excess of one year and not to exceed three years upon finding that a contract in excess of one year would be in the best interests of the City.

With the expiration of its previous contract with Henry and Horne, the City solicited proposals for auditing services and received offers from six firms. Staff, including the City Manager, Finance Director, and Controller, reviewed the proposals and brought forth a recommendation to the City Council Audit Sub-Committee. The Sub-Committee consists of Vice Mayor Pizzillo, Councilmember Stipp, Councilmember Lauritano, and City Manager Brian Dalke. After review, the Audit Committee recommended that the Council accept the proposal from Heinfield, Meech & Co, P.C., for the next three fiscal years in the best interests of the City.

MOTION BY Councilmember Hohman, SECONDED BY Councilmember Stipp, to ACCEPT and APPROVE the proposal to provide audit services for the next three fiscal

years for the City of Goodyear submitted by Heinfeld, Meech & Co. P.C. and authorize the Finance Director to execute the necessary contracts. The motion carried by the following vote:

Ayes 6 - Mayor Lord, Vice Mayor Pizzillo, Councilmember Lauritano, Councilmember Campbell, Councilmember Stipp, and Councilmember Hohman

Excused 1 - Councilmember Osborne

7.5 [14-5246](#) PRELIMINARY PLAT FOR ESTRELLA PARCEL 5.9

Steve Careccia, Planner III, presented. On May 10, 1999, the City Council adopted Ordinance No. 99-652, approving an amendment to the Estrella Greens PAD and Estrella Phase Two PAD, to facilitate the development of the Golf Village PAD. The PAD designates the subject parcel as High Density Residential, which permits residential development at a density of 12 dwelling units per acre or greater.

A preliminary plat for Parcel 5.9 was originally approved by the City Council on December 10, 2007. This preliminary plat provided for 86 condominiums on 28.1 acres. However, the approval expired as a final plat for the parcel was not submitted within the 12-month approval period for preliminary plats.

Careccia reviewed the layout for the Preliminary Plat. This development will be attached townhomes located along the golf course in Estrella. Each townhome unit will consist of three units, which are designed to look like one large structure. Careccia reviewed the open space plans and development amenities.

Council asked if a sprinkler system is required since the total square footage for one building housing three units exceeds 5,000 square feet. Development Services Director Sheri Wakefield-Saenz responded that since each unit is separated by a fire wall, they are considered separate units, and a sprinkler system is not required.

MOTION BY Vice Mayor Pizzillo, SECONDED BY Councilmember Stipp, to APPROVE a request for a preliminary plat for Estrella Parcel 5.9 subdividing 28.1 acres into 61 single family residential lots and 23 tracts located on the west side of Golf Club Drive, south of San Miguel Drive, within the Golf Village at Estrella PAD, subject to stipulations. The motion carried by the following vote:

Ayes 6 - Mayor Lord, Vice Mayor Pizzillo, Councilmember Lauritano, Councilmember Campbell, Councilmember Stipp, and Councilmember Hohman

Excused 1 - Councilmember Osborne

7.6 [14-5263](#) EDA GRANT APPLICATION TO US DEPARTMENT OF COMMERCE

Christine McMurdy, Grants Administrator, presented. According to the Greater Phoenix Economic Council's February 2013 Aerospace and Defense Industry Pre-Sequestration Analysis, Arizona is a top-ranked defense state, ranked as the 10th most vulnerable state in the nation and at high risk due to massive cuts in defense spending.

In January 2014, because of cuts to the defense budget, Lockheed Martin Corporation, Goodyear's largest employer and a U.S. Defense Department Tier 1 contractor, announced a labor force reduction in their Information Systems and Global Services Division (IS&GS). These budget cuts caused a ripple effect for other subcontractors in the Goodyear area, including contractors supporting Luke Air Force Base.

Given the City's reliance on aerospace and defense related companies, Economic Development staff applied for an EDA grant in September 2013 to address what may be an over-reliance on vulnerable defense industry jobs in the City and to learn how to diversify the local/regional economy, offset job losses and retain and redeploy our skilled workforce as well as attract new talent to our area. Staff received notification in early April 2014 that the grant was awarded.

The intended outcome of the feasibility study is to develop a model for a sustainable business incubator/accelerator that promotes entrepreneurship by providing advisory services, equipment and appropriate space for start-up companies. The consultant's tasks include determining the level of community support for a business incubator/accelerator program, assessing the economic conditions, overall business environment, market, regional competition, advantages and disadvantages of the region for this initiative and provide examples of successful initiatives or entities that are located in areas similar to the target service area. The expected timeline for completion of the grant is August 1, 2014.

The grant requires a 50% match by the City, which amounts to \$75,000. However, EDA accepted the City's proposal to commit some local funds to in-kind services (staff time). These funds are available in the City Manager's grant match account.

Council asked what advantage will be gained by spending \$75,000 if the planning grant shows that we don't have a need? What will be the return on our investment?

Wakefield-Saenz responded that the EDA prefers applicants for incubator/accelerator type projects to have gone through this type of planning process. The planning process determines that there is a need and there are portions of the population that will use it. It also determines if the applicant is in a position to take advantage of the next step of an accelerator environment, which includes legal counsel, laboratory and meeting space, and a collaborative environment that is fostered in the accelerator by bringing in experts within in the industry who know how to commercialize these businesses. Often, a bricks and mortar grant is the next step to help construct the accelerator.

City Manager Dalke stated that the planning grant will get into the logistics to determine where, how large and how the accelerator would be run. This is a substantial amount of money but, at the same time, if we want to be serious about an incubator and entrepreneurship program, the biggest cost will be the bricks and mortar, and this will give us an opportunity to possibly obtain funding for that.

McMurdy stated that by building a relationship with the EDA, it could benefit us for a long period of time. If the study shows we have a need, the EDA will direct us in the right direction

to provide us the best funding to fit our needs.

MOTION BY Councilmember Lauritano, SECONDED BY Vice Mayor Pizzillo, to ADOPT RESOLUTION 14-1620 ACCEPTING A GRANT FROM THE U.S. ECONOMIC DEVELOPMENT AGENCY FOR THE CITY OF GOODYEAR BUSINESS INCUBATOR/ACCELERATOR PROGRAM STRATEGY; PROVIDING AUTHORIZATION AND DIRECTION TO TAKE ACTIONS AND EXECUTE DOCUMENTS NECESSARY TO CARRY OUT INTENT OF THE RESOLUTION. The motion carried by the following vote:

Ayes 6 - Mayor Lord, Vice Mayor Pizzillo, Councilmember Lauritano, Councilmember Campbell, Councilmember Stipp, and Councilmember Hohman

Excused 1 - Councilmember Osborne

8. INFORMATION ITEMS

None.

9. FUTURE MEETINGS

05/05/14	Worksession	5:00 P.M.	Goodyear Justice Center
05/05/14	Special Mtg	Immediately Follows Worksession	
05/12/14	Worksession	5:00 P.M.	Goodyear Justice Center
05/12/14	Regular Mtg.	6:00 P.M.	Goodyear Justice Center

10. ADJOURNMENT

There being no further business to discuss, Mayor Lord adjourned the Regular Meeting at 9:15 p.m.

Maureen Scott, 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 April 28, 2014. I further certify that the meeting was duly called and held and that a quorum was present.

SEAL: Dated this ____ day of _____, 20__.

Maureen Scott, City Clerk

Final approved minutes are on file in the City Clerk's Office