



City of Goodyear

Meeting Minutes

City Council Regular Meeting

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

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

Monday, March 16, 2015

6:00 PM

Goodyear Justice Center

1. CALL TO ORDER

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

2. PLEDGE OF ALLEGIANCE & INVOCATION BY COUNCILMEMBER OSBORNE

3. ROLL CALL

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

Staff Present: City Manager Brian Dalke, City Attorney Roric Massey, and City Clerk Maureen Scott

4. COMMUNICATIONS

4.1 [CO 191-15](#) Proclaim the week of March 16-22, 2015 as the 2015 Fix-A-Leak-Week.

Mark Holmes, Water Resource Manager, presented. The Environmental Protection Agency, through the Water Sense Fix-A-Leak-Week Program, is observing March 16th - 22nd to encourage every resident and water user to take action to find and fix leaks. National estimates are that enough water is lost every year to serve 11 million homes.

Arizona State University intern Allan Karim coordinated an incentive program to get citizens involved in this campaign. Through a partnership with Goodyear Ballpark, Liberty Water, the Cleveland Indians, and the Cincinnati Reds, the City has been able to provide an incentive to residents to take action to reduce their water usage in the first two billing cycles of 2015. Karim worked with the Water Conservation Coordinator and ballpark staff to get information out about the spring training incentive program. If those residents reduced their water consumption, they were eligible to receive two free tickets to a spring training game. The Liberty Water service area had approximately 4,000 customers reduce their water usage. The City of Goodyear service area had approximately 7,000 customers reduce their water consumption for a total of 61M gallons. Mayor Lord recognized Allan Karim for his efforts and read a

Proclamation declaring the week of March 16-22, 2015 as the 2015 Fix-A-Leak-Week.

5. CITIZENS COMMENTS/APPEARANCES FROM THE FLOOR

Somlynn Rorie, Goodyear resident, spoke on the Citrus Orchard Project. In 2013, her husband, Patrick Simone, began a campaign called "Saving the Orchard" to save over 50 citrus that were dying on a city owned orchard located on the northwest corner of Cotton Lane and Indian School Road. Patrick passed away on February 20th as a result of a car accident. Somlynn asked for Council's continued cooperation in keeping the remaining trees alive in memory of Patrick. Patrick's vision was to keep the trees alive and to share the fruit with those in the community and others in need.

Craig Shaw, Goodyear resident, spoke regarding the Arizona Department of Transportation (ADOT) meeting that was held in PebbleCreek regarding the noise decibels near I-10 and State Route 303. Shaw felt that ADOT was ill prepared for the meeting. ADOT conducted a noise study which consisted of 15 minutes between the hours of 3:00 p.m. and 5:00 p.m., Monday through Friday. Shaw feels that the noise study was inadequate. The decibel readings ranged from 51-68 but ADOT threw out the reading of 68. Federal law states that a wall must be built if decibels are over 67. Arizona standards state that a wall must be built for decibels over 64. Shaw stated that the decibel level in his backyard is often 74 decibels, and has been as high as 94. He often can't carry on a conversation in his own backyard because of the noise level. Shaw feels this has become a City of Goodyear problem and urged Council to take action.

Shaw also commented on the recent newspaper article regarding the State of the City Address and the fee of \$25 for residents to attend. He was appalled to read this in the newspaper. He understands that this has been changed and would like the City to ask for retraction in the newspaper.

City Manager Brian Dalke responded to Shaw's statements and reported that the city is working with ADOT and Maricopa Association of Governments (MAG) at several levels with regard to the noise study and the possibility of utilizing rubberized asphalt. Staff will provide updates to staff and citizens as they become available.

Dalke stated that the April 28th proposed State of the City Address that was referred to in the newspaper is actually hosted by the Chamber of Commerce and has an economic development focus. The name of the economic development event sponsored by the Chamber of Commerce has been changed to Goodyear Geared for Growth. There will be a future State of the City meeting put on by the City. That is currently in the planning stages and the City Council will make the final decision on the format and location of that meeting.

Pat Eavy, Goodyear resident, also spoke about the ADOT noise issue. There are many factors that should be considered in the noise study such as weather, wind direction, humidity, and temperature. He doesn't feel that an adequate study can be done in 15 minute segments during a two-hour time frame. The noise issue was a concern even before the 303 interchange was installed, but the noise problem was amplified after the wall went up on the south side of I-10. This caused the noise to reverberate back toward the residential area to the north of I-10.

Eavy also spoke in favor of the Police & Fire departments and commended them for everything they do. He is in support of raises for both departments.

6. CONSENT

Consent Agenda Item 6.4 was removed from Consent and discussed on the Business Agenda.

MOTION BY Vice Mayor Pizzillo, SECONDED BY Councilmember Stipp, to APPROVE Consent Agenda items 6.1, 6.2, 6.3 and 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

6.1 MINUTES

APPROVAL OF MINUTES

Approve draft minutes from a Regular Meeting held on February 23, 2015.

6.2 [15-5441](#)

**AGREEMENT WITH THE ARIZONA DEPARTMENT OF
TRANSPORTATION FOR EXCHANGE OF TRAFFIC CRASH DATA
RECOMMENDATION:**

Execute Intergovernmental Agreement (JPA 14-0004967) with the State of Arizona for access and exchange of traffic crash data with the Arizona Department of Transportation (ADOT).

6.3 [15-5448](#)

BULK FUEL PURCHASE FROM SENERGY HOLDINGS
RECOMMENDATION:

Approve the use of funds from the FY15 Fleet operating budget for the purchase of bulk fuel (unleaded, diesel, and E-85) from Senergy Holdings via a cooperative contract with the State of Arizona, in the amount of \$800,000.00.

6.5 15-5562

TEMPORARY NONEXCLUSIVE EASEMENT TO CONSTRUCT AND MAINTAIN DRAINAGE FACILITIES TO BASIS SCHOOLS, INC.
RECOMMENDATION:

Approve the issuance of a Temporary Nonexclusive Easement to Construct and Maintain Drainage Facilities to Basis Schools, Inc., adjacent to the north property line of the Basis Schools property.

7. BUSINESS

6.4 15-5554

**APPLICATION FOR A SERIES 09S LIQUOR LICENSE FOR
WAL-MART SUPER CENTER #5369 AND WAL-MART
NEIGHBORHOOD MARKET #3604**

Sue Brungardt, Deputy City Clerk, presented. Wal-Mart Supercenter #5369 and Wal-Mart Neighborhood Market #3604, have applied for a Series 09S liquor license at each location.

These locations currently hold an active Series 09 liquor license, and the applicant is requesting to add sampling privileges to the current licenses.

According to A.R.S §4-206.01(J) a beer and wine store premises shall contain at least 5,000 square feet in order to be eligible for sampling privileges, and a liquor store licensee that holds a license with sampling privileges may provide spirituous liquor sampling subject to the following requirements:

1. Any open product shall be kept locked by the licensee when the sampling area is not staffed.
2. The licensee is otherwise subject to all other provisions of this title. The licensee is liable for any violation of this title committed in connection with the sampling.
3. The licensed retailer shall make sales of sampled products from the licensed retail premises.
4. The licensee shall not charge any customer for the sampling of any products.
5. The sampling shall be conducted under the supervision of an employee of a sponsoring distiller, vintner, brewer, wholesaler or retail licensee.
6. Accurate records of sampling products dispensed shall be retained by the licensee.
7. Sampling shall be limited to three ounces of beer or cooler-type products, one ounce of wine and one ounce of distilled spirits per person, per brand, per day.
8. The sampling shall be conducted only on the licensed premises.

The applicant, Clare Abel, explained the sampling process and how the store will ensure that people are not served more than the allowed amount.

MOTION BY Vice Mayor Pizzillo, SECONDED BY Councilmember Campbell, to APPROVE a request from Clare Hollie Abel, for a Series 09S liquor license #09070111S, for Wal-Mart Supercenter #5369, located at 1100 North Estrella Parkway, Goodyear, AZ 85338 (Generally located on the west side of North Estrella Parkway just south of I-10). The motion carried by the following vote:

**Ayes 5 Mayor Lord, Vice Mayor Pizzillo, Councilmember Lauritano,
 Councilmember Campbell, and Councilmember Hohman**
Nays 2 - Councilmember Osborne, and Councilmember Stipp

[15-5554](#) **APPLICATION FOR A SERIES 09S LIQUOR LICENSE FOR
WAL-MART SUPER CENTER #5369 AND WAL-MART
NEIGHBORHOOD MARKET #3604**

MOTION BY Vice Mayor Pizzillo, SECONDED BY Councilmember Campbell, to APPROVE a request from Clare Hollie Abel, for a Series 09S liquor license #09070448S for Wal-Mart Neighborhood Market #3604, located at 14200 West Indian School Road, Goodyear, AZ 85395 (Generally located on the northwest corner of Indian School Road and Litchfield Road). The motion carried by the following vote:

**Ayes 5 Mayor Lord, Vice Mayor Pizzillo, Councilmember Lauritano,
 Councilmember Campbell, and Councilmember Hohman**
Nays 2 - Councilmember Osborne, and Councilmember Stipp

7.1 [15-5442](#) **APPLICATION FOR A NEW SERIES 12 LIQUOR LICENSE FOR
MANNY'S MEXICAN GRILL**

Sue Brungardt, Deputy City Clerk, presented a new Series 12 liquor license for Manny's Mexican Grill, which is located at 13290 W Van Buren Street. This is on the north side of Van Buren Street, just east Palo Verde Drive. This location was previously occupied by Arturo's Mexican Restaurant, but the building has been vacant for several years. Manny's Mexican Grill is locally owned and operated and opened for business last week. Council welcomed the applicant to the City and wished them good luck.

MOTION BY Councilmember Stipp, SECONDED BY Councilmember Osborne, to APPROVE a request from Crystal L. Childs, owner/agent for Manny's Mexican Grill, LLC, for a new Series 12 liquor license #1207A146, located at 13290 W Van Buren Street, Goodyear, Arizona (generally located on the northeast corner of Van Buren Street and N. Palo Verde Drive). 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 [15-5555](#) **SPRING 2015 PAVEMENT PRESERVATION PROJECT**

Ron Sievwright, Streets and Traffic Operations Superintendent, presented the proposed Spring 2015 Pavement Management Projects and showed their locations. Focus of the preservation projects will be to preserve the condition of roadways with lower costs treatments. Sievwright gave an overview of each treatment type, and the public outreach efforts used to notify residents of affected areas.

MOTION BY Councilmember Campbell, SECONDED BY Vice Mayor Pizzillo, APPROVE a budgeted expenditure not to exceed \$1,000,000.00 to complete micro-surfacing and slurry seal pavement preservation treatments on City streets. 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 [15-5561](#) **PUBLIC HEARING CANCELLED**

PALM VALLEY 303 PAD AMENDMENT

The advertised public hearing for this case has been continued until the April 13, 2015 Council meeting.

7.4 [15-5565](#) **SECOND REPLAT OF PALM VALLEY PHASE VI PERIMETER
WEST FINAL PLAT AND ABANDONMENT OF CERTAIN STREETS
AND EASEMENTS**

Karen Craver, Planner III, presented. Sunbelt Holdings has submitted a replat to consolidate eleven lots, as approved on the October 3, 2011 replat, into four large lots, one of which is

planned to accommodate a 600,000 square foot distribution center currently in the site plan approval process. The site is located on the south side of Camelback Road, between Cotton Lane on the west and the Loop 303 on the east.

In conjunction with this replat, Sunbelt also submitted an abandonment application to abandon dedicated right-of-way and related public utility easements and temporary drainage easements, as approved on the October 3, 2011 replat.

MOTION BY Councilmember Campbell, SECONDED BY Councilmember Stipp, to APPROVE a replat of a replat of Palm Valley Phase VI Perimeter West Final Plat approved on October 3, 2011, subdividing 54.60 acres into four (4) lots, generally located on the south side of Camelback Road, between Cotton Lane on the west and the Loop 303 on the east, subject to stipulations. 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

MOTION BY Councilmember Stipp, SECONDED BY Councilmember Campbell, to ADOPT RESOLUTION NO. 15-1700 CONDITIONALLY ABANDONING CERTAIN STREETS AND RELATED PUBLIC UTILITY EASEMENTS AND TEMPORARY DRAINAGE EASEMENTS DEDICATED TO THE CITY IN THE REPLAT OF PALM VALLEY PHASE VI PERIMETER WEST FINAL PLAT APPROVED BY THE GOODYEAR CITY COUNCIL ON OCTOBER 3, 2011. 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

8. INFORMATION ITEMS

1. Comments, Commendations, Report on Current Events and Presentations by Mayor, Council Members, staff or members of the public.

Council attended or reported on the following:

>Mayor Lord asked Fire Chief Luizzi to report on an event that took place last week. Luizzi reported that a camp was put on by the Fire Department for girls between the ages 14 and 18 who are interested in a career in fire and emergency services. Six young women completed a week of training at the camp, which included CPR training and certification, and ended with a graduation and a banquet. They will be presenting a video of some of the activities at an upcoming Council meeting.

2. Manager's Summary of Current Events and Reports

The Manager may provide a brief summary of current events; however, there can be discussion only on the following matters:

1. Manager's Update on Council Related Matters:

None.

2. Update of Legislative Issues:

None.

3. Staff Summary of follow up action required:

None.

4. Council members may direct inquiries to staff:

>Council would like information on how many Goodyear residents actually belong to the YMCA.

9. FUTURE MEETINGS

03/23/15	Work Session	5:00 p.m.
03/23/15	Regular Meeting	6:00 p.m.
03/23/15	Special Mtg	Following Reg Mtg
03/30/15	Work Session	5:00 p.m.
04/06/15	Work Session	5:00 p.m.
04/07/15	Work Session	5:00 p.m.

10. ADJOURNMENT

There being no further business to discuss, Mayor Lord adjourned the Regular Meeting at 7:10 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 March 16, 2015. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this ____ day of _____, 2015.

Maureen Scott, City Clerk

SEAL: