



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 Wally Campbell
Councilmember Joanne Osborne
Councilmember Joe Pizzillo
Councilmember Sheri Lauritano
Councilmember Bill Stipp
Councilmember Brannon Hampton

Monday, October 23, 2017

6:00 PM

Goodyear Justice Center

1. CALL TO ORDER

Mayor Lord called the Regular Meeting to order at 6:00 p.m.

2. PLEDGE OF ALLEGIANCE AND INVOCATION BY COUNCILMEMBER PIZZILLO

Councilmember Pizzillo led the Pledge of Allegiance and Reverend Suzanne Citron led the invocation.

3. ROLL CALL

Council Present 5 - Mayor Lord, Vice Mayor Campbell, Councilmember Osborne, Councilmember Pizzillo, and Councilmember Hampton
Council Excused 2 - Councilmember Lauritano, and Councilmember Stipp

Staff Present: Deputy City Manager Dan Cotterman, City Attorney Roric Massey, and City Clerk Darcie McCracken

MOTION BY Vice Mayor Campbell, SECONDED BY Councilmember Osborne, to EXCUSE Councilmember Lauritano and Councilmember Stipp from the Regular Meeting. The motion carried by the following vote:

Ayes 5 - Mayor Lord, Vice Mayor Campbell, Councilmember Osborne, Councilmember Pizzillo, and Councilmember Hampton
Excused 2 - Councilmember Lauritano, and Councilmember Stipp

4. COMMUNICATIONS

- 4.1 [CO 17-290](#) Staff will provide a brief outline of the FY19 budget development process and calendar, including information on changes to the Capital Improvement Plan (CIP) process.

Budget and Research Manager Lauri Wingenroth presented an overview of the Fiscal Year (FY)19 budget process and the timeline involved. She reviewed proposed changes and improvements to this

year's budget process.

Council Discussion:

>**Afraid that projects will be lost by moving to a five-year Capital Improvement Program (CIP).** Ms. Wingenroth clarified that a list will be maintained that includes all of the existing projects in the ten-year CIP. Future anticipated projects will be added to the list as they are identified.

>**Looking forward to CIP project timelines as well as the funding associated with it.**

5. CITIZENS COMMENTS/APPEARANCES FROM THE FLOOR

None.

6. CONSENT

MOTION BY Vice Mayor Campbell, SECONDED BY Councilmember Osborne, to APPROVE Consent Agenda Items 6.1 - 6.9. The motion carried by the following vote:

Ayes 5 - Mayor Lord, Vice Mayor Campbell, Councilmember Osborne, Councilmember Pizzillo, and Councilmember Hampton

Excused 2 - Councilmember Lauritano, and Councilmember Stipp

6.1 [MINUTES](#)
[75-2017](#)

APPROVAL OF MINUTES

PROPOSED ACTION:

Approve draft minutes from a Special Meeting held on September 18, 2017; a Special Meeting and a Regular Meeting held on September 25, 2017; and a Regular Meeting held on October 2, 2017.

6.2 [17-5982](#)

BUDGET TRANSFERS FOR FY17 AND FY18

PROPOSED ACTION:

Approve budget transfers for FY17 and FY18.

6.3 [17-6119](#)

BULK WATER AGREEMENT WITH LIBERTY UTILITIES

PROPOSED ACTION:

Approve the Bulk Water Agreement between the city of Goodyear and Liberty Utilities (Litchfield Park Water and Sewer) Corp.

6.4 [17-6149](#)

UTILITY EASEMENT TO ARIZONA PUBLIC SERVICES FOR THE PHOENIX GOODYEAR NORTH AIRPORT SUPERFUND (CRANE)

EXTRACTION WELL 11

PROPOSED ACTION:

Approve the issuance of a utility easement to Arizona Public Service Company, an Arizona corporation "APS", associated with the Phoenix Goodyear North Airport Superfund Site, Extraction Well 11.

6.5 [17-6182](#)

WATER LINE EASEMENT ON BECK PROPERTY FINAL PLAT

PROPOSED ACTION:

Approve the acceptance of a water line easement associated with the development of Lot 3B, Beck Property final plat, which will contain a new 3" water meter vault.

6.6 [17-6186](#)

**ARIZONA DEPARTMENT OF HOMELAND SECURITY GRANT
AWARD**

PROPOSED ACTION:

Accept the Urban Area Security Initiative (UASI) Chemical, Biological, Radiological, Nuclear, Explosive (CBRNE) Response Team Sustainment/Enhancement Grant of \$59,690 from the Arizona Department of Homeland Security and authorize the City Manager or designee to execute all documents necessary to administer the grant award, and the required FY18 budget transfer for \$59,700.

6.7 [17-6192](#)

FINAL PLAT FOR HUDSON COMMONS

PROPOSED ACTION:

Approve the final plat for Hudson Commons, subject to stipulations.

6.8 [17-6193](#)

FINAL PLAT OF ESTRELLA PARCEL 9.1

PROPOSED ACTION:

Approve the final plat of Estrella Parcel 9.1 subject to stipulations.

6.9 [17-6194](#)

**EXTENSION OF PREMISES/PATIO PERMIT FOR THE CANTA MIA
AT ESTRELLA COMMUNITY ASSOCIATION**

PROPOSED ACTION:

Approve a request from Ryan Witner Anderson, agent for the Canta Mia at Estrella Community Association, for a permanent Extension of Premises/Patio Permit for liquor license #14073061. The Canta Mia at Estrella Community Association is located at 17700 W. Star Point Dr., Goodyear, Arizona 85338 (Generally located at the northwest corner of Estrella Pkwy and Cedarwood Ln.)

7. BUSINESS

7.4 [17-6181](#)

PRELIMINARY PLAT FOR VISTAS AT PALM VALLEY

Long Range Planner Joe Schmitz explained the applicant, Meritage Homes, asked for this postponement. They are in the process of going through an annexation process to join the Palm Valley Community Center. They had expected that process to be complete last week. However, they discovered there were some problems with the notice that was provided. The association's management company apparently failed to send out all of the required notices to conduct the election. The decision to participate in the Palm Valley Community Center has some relationship to their purchase agreement. They do not want to complete the approval of the preliminary plat until they have a response.

Bruce Schroeder with Meritage Homes stated that only 136 out of 1,100 ballots were mailed out.

The vote is now scheduled to occur next week. Out of the number of people who actually cast a vote, 75 percent of those votes must be in favor of the annexation. If the annexation is not passed, Meritage Homes must look at alternatives for the common area.

MOTION BY Councilmember Pizzillo, SECONDED BY Councilmember Hampton, to indefinitely POSTPONE this matter to a future meeting. The motion carried by the following vote:

Ayes 5 - Mayor Lord, Vice Mayor Campbell, Councilmember Osborne, Councilmember Pizzillo, and Councilmember Hampton

Excused 2 - Councilmember Lauritano, and Councilmember Stipp

7.1 [17-6161](#) **PUBLIC HEARING: SERIES 10 LIQUOR LICENSE FOR CIRCLE K STORE #9528**

Deputy City Clerk Sue Brungardt presented. The City Clerk's office received an application for a series 10 liquor license for a new Circle K Store at 1550 N. Pebble Creek Parkway, which is near the southwest corner of McDowell Road and Pebble Creek Parkway.

A Series 10 liquor license is for a Beer and Wine Store, which authorizes the sale of beer and wine for off-site consumption. Circle K is in the process of purchasing the property. If everything goes according to plan, they will begin construction in approximately one year.

Council Discussion:

>Not comfortable approving a liquor license for a facility that has not received approval to be built. The applicant will still need to obtain a special use permit and other things associated with the building. City Attorney Roric Massey responded that this is unusual, but there is nothing illegal about submitting the liquor license application to the state. Ms. Brungardt reported that Winco Foods applied for a liquor license a couple of years ago and was approved.

>It makes sense that if you plan to build a building that sells liquor, that you want to design the building around that.

>Asked for clarification that if this liquor license is approved, it can only be used at this location. Ms. Brungardt responded, yes.

>Asked if the design for the building will be brought to Council for approval. Development Services Director Christopher Baker responded that staff is actively working with Circle K on the Use Permit. It will likely be brought before the Planning & Zoning Commission and Council in December or January. The design standards are part of an administrative process, but the conceptual elevations will be shared with Council when they come forward. Staff is aware that this location is very visible, and staff and the applicant intend this to be a high quality project.

This matter was APPROVED

Ayes 4 - Mayor Lord, Vice Mayor Campbell, Councilmember Pizzillo, and Councilmember Hampton

Nays 1 - Councilmember Osborne

Excused 2 - Councilmember Lauritano, and Councilmember Stipp

**7.2 [17-6154B](#) PUBLIC HEARING: AMENDMENT TO THE ESTRELLA COMMONS
PLANNED AREA DEVELOPMENT**

Planner III Steve Careccia presented. The request is for a Planned Area Development (PAD) amendment for Estrella Commons and is to rezone approximately 22.7 acres to Final PAD to facilitate multi-family development of the subject property. Within the Final PAD, the property will be given a land use designation of Multi-Family Residential (MFR).

The subject property was originally intended to be developed as part of the mixed-use district land use designation. However, instead of a mix of uses, the property owner would like to develop the entire approximate 22.7-acre property with a single use (multi-family development). The net density is proposed at 12.75 dwelling units per acre, which will be approximately 287 units.

The multi-family units will be limited to single story buildings, and the development will provide a buffer between the commercial uses along Estrella Parkway and the Rancho Mirage neighborhood. The maximum building height will be 20 feet.

A neighborhood meeting was held on August 30, 2017. Two people from the Rancho Mirage neighborhood were in attendance. They had questions on the proposed development but indicated that they did not oppose the rezoning request for multi-family development.

Council Discussion:

>Asked if there would be a swimming pool and workout center in the development. Paul Gilbert, representing the applicant, responded yes.

>Likes the idea of the single story units and thinks the product will sell well.

>Feels the density for the commercial in the area will be helpful.

MOTION BY Councilmember Osborne, SECONDED BY Vice Mayor Campbell, to ADOPT RESOLUTION NO. 17-1826 DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT FILED WITH THE CITY CLERK AND TITLED "ESTRELLA COMMONS PLANNED AREA DEVELOPMENT DATED AUGUST 9, 2017". The motion carried by the following vote:

Ayes 5 - Mayor Lord, Vice Mayor Campbell, Councilmember Osborne, Councilmember Pizzillo, and Councilmember Hampton

Excused 2 - Councilmember Lauritano, and Councilmember Stipp

MOTION BY Councilmember Osborne, SECONDED BY Councilmember Hampton, to ADOPT ORDINANCE NO. 17-1368 CONDITIONALLY AMENDING THE ESTRELLA COMMONS PLANNED AREA DEVELOPMENT BY REZONING APPROXIMATELY 22.7 ACRES TO FINAL PLANNED AREA DEVELOPMENT TO AMEND THE LAND USE DESIGNATION FOR THE APPROXIMATE 22.7 ACRES TO MULTI-FAMILY RESIDENTIAL; 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 5 - Mayor Lord, Vice Mayor Campbell, Councilmember Osborne, Councilmember Pizzillo, and Councilmember Hampton

Excused 2 - Councilmember Lauritano, and Councilmember Stipp

7.3 [17-6184](#) **PRELIMINARY PLAT FOR ESTRELLA COMMONS**

Planner III Steve Careccia presented. On February 22, 2016, Council approved a preliminary plat for Estrella Commons. This approval subdivided 105.6 acres into 365 single family lots. The new developer of the property, Fulton Homes, has decided to redesign the layout of the subdivision, and therefore has submitted this current application for a new preliminary plat.

Fulton Homes is requesting approval of a preliminary plat for Estrella Commons. The property consists of 105.73 acres that will be subdivided into 429 single family residential lots and 40 tracts. The gross density is 4.06 dwelling units per acre.

The preliminary plat proposes two lot sizes: 50 feet wide by 115 feet deep, and 60 feet wide by 120 feet deep. All streets in this subdivision will be public streets. Three points of access to the city's public street network will be provided.

Approximately 18 acres will be open space (17%). There will be two main park sites that will include sports fields, ball courts, ramadas and tot lots.

The developer will construct a sound wall along the northern property line of the subdivision, adjacent to Interstate 10. The sound wall will be located approximately 80-85 feet from the freeway travel lane. A landscape buffer with a width of 80 feet will then be located between the sound wall and proposed homes. The sound wall will be approximately 17-20 feet in height.

Council Discussion:

>Thanked Fulton Homes for coming to Goodyear.

>Is not in favor of homes abutting the freeway and will vote against this only for that reason.

>Feels that the parks, ramadas and tot lots are well planned and thanked Fulton Homes.

>Pleased that there are multiple elevations to choose from so that all the homes do not look alike.

>This project provides needed density.

MOTION BY Vice Mayor Campbell, SECONDED BY Councilmember Pizzillo, to APPROVE a preliminary plat for Estrella Commons subdividing 105.73 acres into 429 single family lots and 40 tracts approximately located at the southeast corner of Interstate 10 and Estrella Parkway within the Estrella Commons Planned Area Development (PAD) subject to stipulations. The motion carried by the following vote:

Ayes 4 - Mayor Lord, Vice Mayor Campbell, Councilmember Pizzillo, and Councilmember Hampton

Nays 1 - Councilmember Osborne

Excused 2 - Councilmember Lauritano, and Councilmember Stipp

7.5 [17-6183](#) **RURAL METRO SETTLEMENT AND RELEASE AND CONTRACT FOR MUTUAL AID FIRE AND EMS RESPONSE**

Fire Chief Paul Luizzi presented.

On September 23, 2002, the City Council terminated its existing mutual aid agreement between the city and Rural Metro. At that time it was determined that termination of the agreement was in the best interest of Goodyear and its citizens primarily because there was no reciprocity for city of Goodyear. The city decided that it would not respond to Rural Metro fire service requests.

On August 18, 2003, the City Council reconsidered its current policy of not responding to Rural Metro fire service requests. Following council discussions and subsequent discussions with Rural Metro, the city entered into an oral agreement regarding future fire services. After the city provided notice of the oral agreement, Rural Metro continued to request Goodyear fire services and continued to pay Goodyear in accordance with the terms of the oral contract. From October 2003 until August 2013, Rural Metro paid invoices to Goodyear for fire and emergency services assistance.

In August of 2013, Rural Metro declared bankruptcy and no longer provided payments for city services. After emerging from bankruptcy, Rural Metro continued to not pay invoices they received from the city of Goodyear. The city of Goodyear made multiple attempts to demand payment without any resolution and on September 22, 2017 Rural Metro agreed to settle their previous debt of \$82,989 for \$40,000, provide a security and performance bond to cover any future unpaid invoices (for the initial term of the agreement) in the amount of \$30,000, and enter into a new mutual aid agreement that would include an administrative processing fee of \$500 for any future late payments.

Staff is happy with the settlement and feels that the mutual aid agreement is fair for both jurisdictions.

Council Discussion:

>Asked how the calls would be initiated for our help under the agreement. Chief Luizzi responded that Rural Metro is a private company that responds to unincorporated areas of the county. They would actually call and ask for our help; it would not be an automatic response.

MOTION BY Councilmember Osborne, SECONDED BY Vice Mayor Campbell, to APPROVE settlement and release and mutual aid agreements between Rural Metro Fire Department Inc. (Rural Metro) and the city of Goodyear for fire and emergency services. The motion carried by the following vote:

Ayes 5 - Mayor Lord, Vice Mayor Campbell, Councilmember Osborne, Councilmember Pizzillo, and Councilmember Hampton

Excused 2 - Councilmember Lauritano, and Councilmember Stipp

7.6 [17-6197](#) **APPOINTMENT OF AN INTERIM CITY MANAGER**

Human Resources Director Lyman Locket presented. As part of the City Manager recruitment process, he is bringing forth proposed action to appoint an Interim City Manager during an anticipated vacancy period from the time our current City Manager vacates the position and the time a new City Manager is hired. The vacancy period is expected to be about four to six weeks. This assignment will begin January 6, 2018. The interim period will last until the new City Manager is in place. Mr. Locket reported that Council has deliberated and Dan Cotterman is the person that Council would like to appoint.

MOTION BY Councilmember Hampton, SECONDED BY Councilmember Pizzillo, to APPOINT Dan Cotterman as Interim City Manager effective January 6, 2018. The interim assignment will conclude when a new City Manager assumes the role. The motion carried by the following vote:

Ayes 5 - Mayor Lord, Vice Mayor Campbell, Councilmember Osborne, Councilmember Pizzillo, and Councilmember Hampton

Excused 2 - Councilmember Lauritano, and Councilmember Stipp

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:

>Reported on an article that predicts that 2018 will be a painful year for traditional retail businesses as more people are turning to online sales for their purchases.

>Thanked Bruce Kessman and the Ballpark staff for their efforts in putting on a successful Harvest Festival.

>Assistance in Health Care Board Meeting. They awarded 157 cancer patients with cash grants. Most of the money for the grants came from the Project Pink lunch that was held last Friday.

>Area Agency on Aging board meeting.

>Southwest Family Advocacy Center open house.

>Met with the National League of Cities in Washington, D.C.

>Tour of West Valley Veterans' Facility.

>Served lunch at Palm Valley Elementary School and Mabel Padgett Elementary School.

>Celebration of Manufacturing month at Hutamaki.

>The first "Getting to Know Your City" event. Council met with citizens and answered questions, and there was a good turnout.

>The open house for the new community park will be Thursday, October 26. Residents will have an opportunity to provide feedback on what they would like included at the new park.

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:

>The 2018 Fall Festival was held at the Goodyear Ballpark on October 21. There was a record attendance of 9,688 (4% increase over last year).

>Make a Difference Day is Saturday, October 28. Over 300 volunteers will participate. There will be 15 community service projects throughout the city.

>The Household Hazardous Waste Drop-off event will be held this Saturday, October 28 from 8:00 a.m. to 12:00 p.m. This is a multi-city event between Goodyear, Avondale, Litchfield Park and Tolleson, and will be held at the Goodyear Public Works Facility.

2. Update of Legislative Issues:

None.

3. Staff Summary of follow up action required:

None.

4. Council members may direct inquiries to staff:

None.

5. Future Agenda Items:

None.

9. FUTURE MEETINGS

November 06, 2017	Work Session	5:00 p.m.
November 13, 2017	CFD Meeting	5:30 p.m.
November 13, 2017	Regular Meeting	6:00 p.m.
November 20, 2017	Regular Meeting	6:00 p.m.

10. ADJOURNMENT

There being no further business to discuss, Mayor Lord adjourned the Regular Meeting at 7:18 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 October 23, 2017. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this ____ day of _____, 2017.

Darcie McCracken, City Clerk

SEAL: