

MINUTES OF THE PEORIA CITY COUNCIL
CITY OF PEORIA, ARIZONA
COUNCIL CHAMBER
January 17, 2012

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 7:02 p.m.

Following a moment of silent reflection, Councilmember Rivero led the Pledge of Allegiance.

Members Present: Mayor Bob Barrett; Vice Mayor Ron Aames; Councilmembers Cathy Carlat, Joan Evans, Dave Pearson and Tony Rivero.

Members Absent: Councilmember Carlo Leone.

Other Municipal Officials Present: Carl Swenson, City Manager; Susan Daluddung, Deputy City Manager; Susan Thorpe, Deputy City Manager; Steve Kemp, City Attorney; Wanda Nelson, City Clerk; Andy Granger, Engineering Director; Stacy Irvine, Interim Fire Chief; Chris Jacques, Planning and Community Development Director; Bo Larsen, Public Information Manager; Claudia Luján, Interim Human Resources Director; Bill Mattingly, Public Works and Utilities Director; Brent Mattingly, Finance Director; Roy Minter, Police Chief; Jeff Tyne, Interim Community Services Director; Corina Russo, Assistant to the City Manager; Linda Blas, Deputy City Clerk.

Audience: Approximately 25 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.

PRESENTATION:

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 Barrett asked if any Councilmember wished to have an item removed from the Consent Agenda. Having no requests from Council, motion was made by Vice Mayor Aames, seconded by Councilmember Evans, to approve the Consent Agenda. Upon vote, the motion carried unanimously 6 to 0.

CONSENT – New Business:

1C Deeds and Easements, Various Locations

RESOLUTION NO. 2012-06

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA ADOPTING A RESOLUTION FORMALLY ACCEPTING DEEDS AND EASEMENTS FOR PROPERTY RIGHTS CONVEYED TO THE CITY OF PEORIA.

Adopted **RES. 2012-06** accepting Deeds and Easements for various Real Property interests acquired by the City and previously recorded by the Maricopa County Recorder's Office.

2C Designate Roadways, Establish Rights-of-Way, Various Locations

RESOLUTION NO. 2012-07

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA ADOPTING A RESOLUTION AUTHORIZING THE ESTABLISHMENT OF PUBLIC STREETS, TO BE OPENED AND MAINTAINED BY THE CITY.

Adopted **RES. 2012-07** designating various Real Properties to be used as City roadways and authorize the establishment of Public Rights-of-Way to be opened and maintained by the City as a Public Street.

3C Replat, Amendment to Building F of the Condominium Plat for Plaza Del Lago, Lake Pleasant Parkway and Yearling Road

Approved a Replat for Amendment to Building F of the Condominium Plat for Plaza Del Lago, located at Lake Pleasant Parkway and Yearling Road, subject to stipulations.

REGULAR AGENDA

NEW BUSINESS

4R PUBLIC HEARING - Liquor Licenses, Various Locations

Staff Report/Public Comment:

Brent Mattingly, Finance Director, reported that the properties were posted in accordance with Arizona law, all fees were paid, all reviewing Departments recommended approval, and no comments were received from the public.

PUBLIC HEARING:

Mayor Barrett opened the Public Hearing and asked if any Councilmember or citizen wished to comment on the request for (a) a New Wine and Beer Liquor License (Series 10) for Quiktrip #436, located at 6739 W. Happy Valley Road, Troy C. Devos, Applicant, LL#20004301; and (b) a New Wine and Beer Liquor License (Series 10) for Hank's Shell, located at 7509 W. Cactus Road, Chong H. Kim, Applicant, LL#20003834.

Having no requests from the public to address this item, Mayor Barrett declared the Public Hearing closed.

COUNCIL ACTION: Motion was made by Councilmember Carlat, seconded by Vice Mayor Aames, to recommend approval to the State Liquor Board for: (a) a New Wine and Beer Liquor License (Series 10) for Quiktrip #436, located at 6739 W. Happy Valley Road, Troy C. Devos, Applicant, LL#20004301; and (b) a New Wine and Beer Liquor License (Series 10) for Hank's Shell, located at 7509 W. Cactus Road, Chong H. Kim, Applicant, LL#20003834.

Upon vote, the motion carried unanimously 6 to 0.

5R PUBLIC HEARING - Old Town Entertainment District Designation

RESOLUTION NO. 2012-08

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA DECLARING ITS INTENTION TO DESIGNATE A DEFINED AREA AROUND OLD TOWN AS AN ENTERTAINMENT DISTRICT PURSUANT TO A.R.S. §4-207 THEREBY ALLOWING THE CITY OF PEORIA TO APPROVE ON A CASE-BY-CASE BASIS EXEMPTIONS FROM THE DISTANCE RESTRICTIONS PRESCRIBED THEREIN FOR THE ISSUANCE OF CERTAIN LIQUOR LICENSES FOR ESTABLISHMENTS IN RELATION TO CHARTER SCHOOLS OR PLACES OF WORSHIP.

Staff Report/Public Comment:

Chris Jacques, Planning and Community Development Director, discussed the proposal to designate a portion of Old Town as an Entertainment District pursuant to A.R.S. §4-207 for the purpose of considering certain types of restricted liquor licenses within 300 feet of a church or charter school. Mr. Jacques outlined the criteria to be considered when the City evaluates a request for exemption from the distance restrictions.

PUBLIC HEARING:

Mayor Barrett opened the Public Hearing and asked if any Councilmember or citizen wished to comment on the request to designate a defined area around Old Town as an Entertainment District.

Gary Boven, pastor of Valley Community Church, expressed his approval of the proposal with the constraints that would be implemented.

Thom Gyder, owner of Wilhelm Automotive, addressed Council in support of designating an area around Old Town as an Entertainment District.

Jack Lytle, Executive Director of Theatre Works, addressed Council in support of the Entertainment District designation in Old Town.

Constance McMillin addressed Council in favor of the proposed Entertainment District designation.

Ron Taylor, President of the Peoria Historical Society, expressed his understanding of the concept of an Entertainment District in Old Town Peoria and the need for revitalization. Mr. Taylor noted the Historical Society would rely on Council to protect the interests of all organizations within the designated area.

Dr. Grant Merrill spoke on behalf of the holding company interested in establishing a microbrewery in Old Town. Dr. Merrill urged Council to approve the proposal and offered his perspective on microbreweries and revitalization.

COUNCIL ACTION:

Motion was made by Councilmember Rivero, seconded by Councilmember Carlat, to adopt **RES. 2012-08** designating a defined area around Old Town as an Entertainment District pursuant to A.R.S. §4-207 for the purpose of considering certain types of restricted liquor licenses within 300 feet of a church or charter school.

Upon vote, the motion carried unanimously 6 to 0.

6R Budget Amendment, City Hall Campus Security

Roy Minter, Police Chief, reported on a request to utilize contract security guards in lieu of the current Campus Security Officer at City Hall during business hours.

Motion was made by Councilmember Rivero, seconded by Councilmember Evans to: (a) utilize contract security guards at City Hall; and (b) approve a budget amendment within the Police Department Administration budget in the amount of \$25,000 from the Salary/Wages account to Other Professional Services account.

Upon vote, the motion carried unanimously 6 to 0.

CALL TO THE PUBLIC: (NON-AGENDA ITEMS)

None.

Reports from the City Manager:

1. Council Calendar
2. Reports with Presentation
 - a. New website for Peoria - www.peoriaaz.gov

Bo Larsen, Public Information Manager, provided a brief overview of the City's new website designed in accordance with Council goals.

3. Informational (The following items are included for informational purposes only. There will be no separate discussion of these items unless a Councilmember so requests.)

Carl Swenson, City Manager, informed Council that their Agenda packet contains information related to the following item:

- a. Peoria Centennial Events 2012

Reports from City Council:

Councilmember Carlat reported on the annual gala fundraising event held at the Peoria Center for the Performing Arts. Councilmember Carlat thanked Thom Gyder for his generous donation to Theatre Works on behalf of the estate of his father, Charlie Gyder.

Councilmember Rivero reported on the various City of Peoria activities he attended. Councilmember Rivero congratulated the Diversity Committee for receiving an award at the Annual Tribute to Dr. Martin Luther King, Jr. on January 15, 2012.

Councilmember Evans reminded citizens to attend the Centennial Baseball Celebration on February 3, 2012 at the Peoria Sports Complex. Councilmember Evans encouraged residents to celebrate Arizona's 100th Birthday at the Centennial Plaza Dedication and Celebration on February 4, 2012 at the municipal campus.

Vice Mayor Aames reported on the various City of Peoria events he attended, including the dinner in honor of Dr. Martin Luther King, Jr. and the gala fundraising event at the Peoria Center for the Performing Arts.

Reports from the Mayor:

Mayor Barrett encouraged attendance at the organizational meeting for the American Cancer Society's Relay for Life fundraiser to be held at 6:00 p.m. on January 18, 2012 at New Life Community Church.

ADJOURNMENT:

Being no further business to come before the Council, the meeting was duly adjourned at 8:06 p.m.

Bob Barrett, Mayor

ATTEST:

Wanda Nelson, City Clerk

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct summary of the proceedings of the Regular Meeting of the City Council of Peoria, Arizona held on the 17th day of January, 2012. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 21st day of February, 2012.

(Seal)

Wanda Nelson, City Clerk