

**MINUTES OF THE PEORIA CITY COUNCIL**  
CITY OF PEORIA, ARIZONA  
CITY COUNCIL CHAMBER  
October 18, 2011

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 7:00 p.m.

Following a moment of silent reflection, Boy Scout Troop #568 led the Pledge of Allegiance.

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

**Members Absent:** None

**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; Katie Gregory, Interim Management and Budget Director; Stacy Irvine, Acting Fire Chief; Chris Jacques, Planning and Community Development Director; Bo Larsen, Public Information Manager; Bill Mattingly, Public Works and Utilities Director; Roy Minter, Police Chief; Jeff Tyne, Interim Community Services Director; Claudia Luján, Assistant to the City Manager; Rhonda Geriminsky; Chief Deputy City Clerk.

**Audience:** Approximately 170 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:**

1. Mayor Barrett and Vice Mayor Carlat presented a Certificate of Appointment to the following Board and Commission member:

Ian Mullane appointed to the Youth Advisory Board

2. Recognition of Firefighter Brian Escamillo

Mayor Barrett recognized Firefighter Brian Escamillo and welcomed him home from his active military service in Afghanistan.

3. Peoria Young Ambassador Youth Exchange Program

Claudia Luján, Assistant to the City Manager, provided background on the Young Ambassador Program. Ms. Luján recognized the host families in attendance. Marisa Voiland, Young Ambassador, outlined the student exchange program with the Borough of Ards, Northern Ireland, which provides high school youth with a two-week cultural experience abroad and a two-week experience hosting exchange students in Peoria.

4. U.S. Constitution Event

Mayor Barrett, Councilmember Evans, and Uncle Sam (portrayed by Mike Lindquist) presented certificates to the Constitution Contest winners from local schools.

Mayor Barrett declared a short recess at 7:35 p.m. and reconvened the meeting at 7:45 p.m.

## **CONSENT AGENDA**

**CONSENT AGENDA:** All items listed with "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 Councilmember Leone, seconded by Councilmember Rivero, to approve the Consent Agenda. Upon vote, the motion carried unanimously 7 to 0.

### **CONSENT – New Business:**

#### **1C Disposition of Absence**

Excused the absence of Mayor Barrett from the Special Meeting and Study Session City Council Meeting held at 5:00 p.m. on October 4, 2011.

#### **2C Minutes**

Approved the minutes of:

September 20, 2011 Special Meeting and Study Session

September 20, 2011 Regular Meeting

October 4, 2011 Special Meeting and Study Session

**3C Grant, State Grants in Aid, Main Library Materials**

- a) Accepted a State Grant in Aid Grant; and
- b) Approved a budget transfer in the amount of \$7,928 from the Proposed Grant Contingency Account to the Books, Periodicals and Subscription Account.

**4C Grant, Peoria Police Department, Governor's Office of Highway Safety, Speed Enforcement**

- a) Authorized the City Manager to accept \$15,000 from the Governor's Office of Highway Safety (GOHS) to be used by the Peoria Police Department for speed enforcement and education; and
- b) Approved a budget transfer in the amount of \$15,000 from the Proposed Grant Contingency Account to the Governor's Office of Highway Safety Grant Overtime Account.

**5C Grant, Peoria Police Department, Governor's Office of Highway Safety, Accident Investigation Equipment**

- (a) Authorized the City Manager to accept \$25,000 from the Governor's Office of Highway Safety (GOHS) to be used by the Peoria Police Department to enhance traffic collision investigations; and
- (b) Approved a budget transfer in the amount of \$25,000 from the Proposed Grant Contingency Account to the Governor's Office of Highway Safety Other Equipment Account.

**6C Grant, Peoria Police Department, Governor's Office of Highway Safety, DUI Enforcement and Education Efforts**

- a) Authorized the City Manager to accept \$50,000 from the Governor's Office of Highway Safety for Peoria's DUI Enforcement and Education efforts; and
- b) Approved a budget transfer in the amount of \$50,000 from the Proposed Grants Contingency Account to the Occupant Protection Enforcement Program Grant Account.

**7C Grant, Peoria Police Department, Governor's Office of Highway Safety, Pedestrian, Bicycle and School Zone Safety Enforcement and Education, Overtime and Operational Equipment**

- a) Authorized the City Manager to accept \$30,000 from the Governor's Office of Highway Safety for Peoria's Pedestrian and Bicycle Enforcement and Education Partnership, and School Zone Safety Enforcement and Education efforts; and

- b) Approved a budget transfer in the amount of \$30,000 from the Proposed Grants Contingency Account to the Occupant Protection Enforcement Program Grant Account for Overtime and Operational Equipment.

**8C Grant, Peoria Police Department, Governor's Office of Highway Safety, Speed and Traffic Enforcement Equipment**

- a) Authorized the City Manager to accept a grant in the amount of \$10,744 from the Governor's Office of Highway Safety for Speed and Traffic Enforcement Equipment; and
- b) Approved a budget transfer in the amount of \$10,744 from the Proposed Grants Contingency Account to the Occupant Protection Enforcement Program Grant Account for operational equipment.

**9C Grant, Peoria Fire Department, U.S. Department of Homeland Security, Arson Investigation Training**

- a) Accepted a grant in the amount of \$1,200 from the U.S. Department of Homeland Security for Arson Investigation Training; and
- b) Approved a budget transfer in the amount of \$1,200 from the proposed Grant Contingency Account to the Fire Department Training Grant Account for arson investigation training.

## **REGULAR AGENDA**

### **NEW BUSINESS**

**10R PUBLIC HEARING - Liquor Licenses, Various Locations**

**Staff Report/Public Comment:**

Wanda Nelson, City Clerk, 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 requests for the following:

- a) A New Restaurant Liquor License (Series 12) for Bibiano's Mexican Restaurant, located at 10651 W. Olive Avenue #106, Marizza A. Montoya, Applicant, LL#20002596; and
- b) A Person to Person Transfer for an On-Sale all Liquor License (Series 06) for The Curve on Peoria Bar & Grill, located at 8455 W. Peoria Avenue, Diane M. Cooper-Frias, Applicant, LL#20003638.

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

**Council Action:** Motion was made by Vice Mayor Carlat, seconded by Councilmember Aames to recommend approval to the State Liquor Board for:

- a) A New Restaurant Liquor License (Series 12) for Bibiano's Mexican Restaurant, located at 10651 W. Olive Avenue #106, Marizza A. Montoya, Applicant, LL#20002596; and
- b) A Person to Person Transfer for an On-Sale all Liquor License (Series 06) for The Curve on Peoria Bar & Grill, located at 8455 W. Peoria Avenue, Diane M. Cooper-Frias, Applicant, LL#20003638.

Upon vote, the motion carried unanimously 7 to 0.

**11R Rezoning, 75th Avenue and Jomax Road, Aloravita Planned Community District**

**Clerk's Note: Item 11R and 12R were heard together.**

ORDINANCE NO 2011-21

AN ORDINANCE OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA REZONING CERTAIN PROPERTY FROM GENERAL AGRICULTURAL (AG) TO PLANNED COMMUNITY DISTRICT (PCD); AMENDING THE ZONING MAP AND PROVIDING FOR AN EFFECTIVE DATE.

Chris Jacques, Acting Planning and Community Development Director, provided an overview of Items 10R and 11R regarding rezoning and a development agreement for approximately 1,262 gross acres generally located at the northeast and southwest corners of Jomax Road and 75<sup>th</sup> Avenue. Mr. Jacques outlined the development agreement.

Liz Inman addressed Council regarding the request to rezone the Aloravita Planned Community District. Ms. Inman stated she feels the density in Aloravita is too great. Ms. Inman thanked Vice Mayor Carlat and staff for their assistance in achieving the final solution.

Tony Dudzinski addressed Council regarding the request to rezone the Aloravita Planned Community District. Mr. Dudzinski stated the City did a great job in developing the community; Mr. Dudzinski thanked the Council for their involvement in the development and the process.

Vice Mayor Carlat expressed appreciation for the community and developer involvement in

the Aloravita project.

Paul Gilbert, developer representative, addressed Council regarding the process used to develop the Aloravita community. Mr. Gilbert stated he is in full support of all of the stipulations within the plan.

Motion was made by Vice Mayor Carlat, seconded by Councilmember Aames, to concur with the Planning & Zoning Commission to adopt **ORD. 2011-21** rezoning approximately 1,262 gross acres of property, generally located at the northeast and southwest corners of Jomax Road and 75<sup>th</sup> Avenue (alignment), from General Agricultural (AG) to Planned Community District (PCD). (Z 08-02)

Upon vote, the motion carried unanimously 7 to 0.

**12R Development Agreement, 75th Avenue and Jomax Road, Aloravita Development**

Motion was made by Vice Mayor Carlat, seconded by Councilmember Aames, to approve a Development Agreement with Aloravita I/II, LLC pertaining to the proposed Aloravita planned community of approximately 1,262 gross acres (2.0 square miles), generally located at the northeast and southwest corners of Jomax Road and 75th Avenue (alignment).

Upon vote, the motion carried unanimously 7 to 0.

**13R Budget Amendment, Arizona Department of Water Resources Municipality Fee**

Bill Mattingly, Public Works and Utilities Director, provided an overview of the request for a budget amendment in the amount of \$191,938 from the Water Fund Contingency Account to the Water Fund Water Supply Arizona Department of Water Resources Water Resources Fee Payment Account. Mr. Mattingly explained that a State Water Resource fee of \$.27 has been added to resident water bills.

Motion was made by Councilmember Rivero, seconded by Councilmember Pearson, to approve a budget amendment in the amount of \$191,938 from the Water Fund Contingency Account to the Water Fund Water Supply Arizona Department of Water Resources Water Resources Fee Payment Account.

Upon vote, the motion carried unanimously 7 to 0.

### **CALL TO THE PUBLIC: (NON-AGENDA ITEMS)**

Lon Bartel addressed Council on behalf of the Peoria Police Officer's Association regarding working conditions and a Code of Conduct for Police Officers. Mr. Bartel stated he has been involved in the negotiation process for several years and has acknowledged a successful relationship has been built through the process; however, the relationship has been damaged by recent actions. Mr. Bartel stated the Peoria Police Officer's Association is requesting Council support.

Dave Fernandez, Vice President Peoria Police Officer's Association, addressed Council and stated that Cameron Lebbon is an honorable man.

### **Reports from the City Manager:**

1. Council Calendar
2. Reports with Presentation
  - a. Organizational Strategic Plan Update

Katie Gregory, Interim Management and Budget Director, provided an update on the City's Organizational Strategic Plan. Ms. Gregory outlined the following:

- Organizational Strategic Plan objectives
  - Organizational Strategic Goals
  - Significant accomplishments
  - Organizational development
  - Increased information sharing
  - Promoting sustainability
  - Promoting civic engagement
  - Next steps
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. Seniors and Law Enforcement Together "S.A.L.T. Conferences"

### **Reports from City Council:**

Councilmember Leone reported on the various City of Peoria events he attended. Councilmember Leone encouraged citizens to attend Mama's Organic Market at Park West on November 19th.

Councilmember Aames reported on the various events he attended, including a trip to Salt Lake to review the Commuter Rail program. Councilmember Aames discussed the regional support for Light Rail that Arizona is attempting to develop.

Councilmember Evans encouraged citizens to attend *Arizona on the Move* at the Peoria Sports Complex on October 22<sup>nd</sup>. Councilmember Evans outlined the expected events to occur during *Arizona on the Move*. The Beer Festival begins at the Peoria Sports Complex at 6:00 p.m. on October 22<sup>nd</sup>.

Vice Mayor Carlat expressed appreciation to Chief Minter for hosting the first Seniors and Law Enforcement Together (S.A.L.T) Conference. Vice Mayor Carlat encouraged citizens to attend the second annual Wine, Food and Jazz Festival in Vistancia on November 5<sup>th</sup> from 10:00 a.m. to 8:00 p.m.

**Reports from the Mayor:**

Mayor Barrett reported that he had the honor of being invited to and has accepted the invitation to attend the Flynn Foundation's Biomedical Steering Committee meetings, which begin in January.

**ADJOURNMENT:**

Being no further business to come before the Council, the meeting was duly adjourned at 8:44 p.m.

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Bob Barrett, Mayor

ATTEST:

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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 18<sup>th</sup> day of October, 2011. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 15<sup>th</sup> day of November, 2011.

(Seal)

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Wanda Nelson, City Clerk