

MINUTES OF THE PEORIA CITY COUNCIL
CITY OF PEORIA, ARIZONA
CITY COUNCIL CHAMBER
September 18, 2012

A **Special Meeting** of the City Council of the City of Peoria, Arizona was convened at 8401 West Monroe Street in open and public session at 6:15 p.m.

Members Present: Mayor Bob Barrett; Vice Mayor Ron Aames; Councilmembers Cathy Carlat, 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; Rhonda Geriminsky, Interim City Clerk; Scott Whyte, Economic Development Services Director; and Linda Blas, Deputy City Clerk.

Audience: There were no members of the public present.

Note: The order in which items appear in the minutes is not necessarily the order in which they were discussed in the meeting.

CONSENT AGENDA

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.

Motion was made by Councilmember Evans, seconded by Councilmember Carlat, to approve the Consent Agenda. Upon vote, the motion carried unanimously 7 to 0.

1C. **Authorization to Hold an Executive Session**

Pursuant to A.R.S. § 38-431.03: Authorized the holding of an Executive Session for the purposes of discussion with legal counsel in order to consider the City's position and instruct legal counsel regarding a proposed Economic Development Incentive and Investment Agreement with Trine University pursuant to the City's Economic Development Incentive and Investment Policy (EDIIP). (Pursuant to A.R.S. § 38-431.03(A)(4))

ADJOURNMENT:

Being no further business to come before the Council, the meeting was duly adjourned at 6:17 p.m.

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, Vice Mayor Aames led the Pledge of Allegiance.

Members Present: Mayor Bob Barrett; Vice Mayor Ron Aames; Councilmembers Cathy Carlat, 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; Steve Kemp, City Attorney; Rhonda Geriminsky, Interim City Clerk; Julie Ayers, Human Resources Director; Andy Granger, Engineering Director; Chris Jacques, Planning and Community Development Director; Bo Larsen, Public Information Manager; Bill Mattingly, Public Works Director; Brent Mattingly, Finance Director; Roy Minter, Police Chief; Bobby Ruiz, Fire Chief; John Sefton, Community Services Director; Jeff Tyne, Management and Budget Director; Claudia Luján, Assistant to the City Manager; and Linda Blas, Deputy City Clerk.

Audience: Approximately 20 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.

Mayor Barrett announced that Agenda Item 13R is being pulled from the agenda at staff's request.

PRESENTATION:

3. Theater Works Annual Report

Daniel Schay, Executive Director of Theater Works, provided an update on the classes, workshops, summer camp sessions, performances and community presentations held at the Peoria Center for the Performing Arts during the past year.

Mr. Schay reported that Theater Works received 56 ariZoni Theatre Awards of Excellence nominations for 2011-2012. Mr. Schay proudly announced that Theater Works was the recipient of 17 ariZoni Awards in various categories at a ceremony held on September 17, 2012.

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 Councilmember Leone, seconded by Councilmember Carlat, to approve the Consent Agenda. Upon vote, the motion carried unanimously 7 to 0.

4C. **Minutes**

Approved the following City Council Meeting minutes:

August 21, 2012
September 4, 2012

5C. **Appointments, Boards and Commissions**

RESOLUTION 2012-108

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, APPOINTING WILLIAM SCHINDLER TO THE MUNICIPAL DEVELOPMENT AUTHORITY AND ESTABLISHING THE TERM OF OFFICE.

Adopted **RES. 2012-108** appointing William Schindler, as a regular member, to the Municipal Development Authority.

6C. **Intergovernmental Agreement, West Valley Cities, West Valley Domestic Violence Fatality Review Team**

Approved an Intergovernmental Agreement with other West Valley cities to establish and participate in the West Valley Domestic Violence Review Team.

7C. **Intergovernmental Agreement Amendment, State of Arizona, Department of Transportation, State Route 303L at Lone Mountain Parkway**

Approved Intergovernmental Agreement Amendment No. Two with the State of Arizona, Department of Transportation, for the identification of the City's responsibilities related to maintenance of the landscape, irrigation system and any power costs in the State's right-of-way on the west side of State Route 303L at Lone Mountain Parkway.

8C. **Settlement Agreement, City of Peoria v. Hong Thunderbird 75, L.L.C.**

- a) Approved a settlement agreement in City of Peoria v. Hong Thunderbird 75, L.L.C.; and

- b) Authorized a budget transfer in the amount of \$59,238 from the 75th Avenue and Thunderbird Intersection Widening Improvement Project Street System Account to the Land Acquisition Account.

9C. **Replat, Units 51 and 52, Building 4 Olive Avenue Business Park Condominium, Olive Avenue and Loop 101**

Approved the Replat of Units 51 and 52, Building 4 Olive Avenue Business Park Condominium, located at Olive Avenue and Loop 101, subject to stipulations.

10C. **Replat, Peoria DES 2, Peoria Avenue and 91st Avenue**

Approved the Replat of Peoria DES 2, located at Peoria Avenue and 91st Avenue, subject to stipulations.

11C. **Member Removal, Various Boards and Commissions**

Removed Mark Hughes from the Citizens Commission on Salaries for Elected City Officials, Personnel Board, and Volunteer Firefighter Pension Board and declared the respective seats vacant.

REGULAR AGENDA

12R. **Public Hearing - Liquor License, Sprouts Farmers Market #6, 8375 W. Thunderbird Road**

Staff Report:

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 a request for a New Wine and Beer Liquor License (Series 10) for Sprouts Farmers Market #6, located at 8375 W. Thunderbird Road, Randy D. Nations, Applicant, LL#20002349.

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 Aames, seconded by Councilmember Carlat, to recommend approval to the State Liquor Board for a New Wine and Beer Liquor License (Series 10) for Sprouts Farmers Market #6, located at 8375 W. Thunderbird Road, Randy D. Nations, Applicant, LL#20002349.

Upon vote, the motion carried unanimously 7 to 0.

13R. **Public Hearing - Liquor License, Satara Thai Cuisine Boutique Wine, 8350 W. Paradise Lane**

Clerk's Note: Mayor Barrett announced at the beginning of the meeting that **Agenda Item 13R was pulled from the agenda at the request of Staff.**

PUBLIC HEARING: Re: A New Restaurant Liquor License (Series 12) for Satara Thai Cuisine Boutique Wine, located at 8350 W. Paradise Lane, Steven R. Jones, Applicant, LL#20005219.

14R. **Public Hearing - Annexation, 97th Avenue & Avenida Del Sol**

Staff Report:

Chris Jacques, Planning and Community Development Director, reported on a request to annex two parcels of privately owned property located west of the southwest corner of 97th Avenue and Avenida Del Sol.

Mr. Jacques reviewed the annexation process and informed Council the public hearing to be held is the first of two public hearings required by law to begin proceedings to annex the property into the City.

PUBLIC HEARING:

Mayor Barrett opened the Public Hearing and asked if any Councilmember or citizen wished to comment on a proposed annexation of approximately 2.33 acres of privately-owned property located west of the southwest corner of 97th Avenue and Avenida Del Sol (ANX12-0001).

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

COUNCIL ACTION: No Council action required.

15R. **Adoption of 2012 Sustainability Action Plan**

RESOLUTION NO. 2012-110

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE
CITY OF PEORIA, MARICOPA COUNTY, ARIZONA
APPROVING AND ADOPTING THE 2012 SUSTAINABILITY
ACTION PLAN.

Susan Daluddung, Deputy City Manager, provided a brief overview of the 2012 Sustainability Action Plan.

Ms. Daluddung reviewed the successes to date attributed to initiatives outlined in the plan, including:

- Education and outreach initiatives to foster energy efficiency in the home
- City savings of \$130,000 per year in electrical costs
- City savings in excess of \$1 million annually by eliminating 79 fleet vehicles

Ms. Daluddung reported on the following awards and recognitions the City has received for its sustainability efforts:

- LEED (Leadership in Energy and Environmental Design) Gold award for the Municipal Court Expansion
- 2012 Energy Star rating from the U.S. Environmental Protection Agency for the Development and Community Services building
- 2010 U.S. Green Building Council Big Green award for Citywide green programs and practices

Motion was made by Councilmember Carlat, seconded by Vice Mayor Aames, to adopt **RES. 2012-110** to formally approve and adopt the 2012 Sustainable Action Plan as the City's guiding document for sustainability efforts.

Upon vote, the motion carried unanimously 7 to 0.

Call To The Public (Non-Agenda Items)

Jon Forsythe addressed Council regarding recent interactions with the Peoria Police Department.

Reports from City Manager:

16. **Council Calendar**

17. **Reports with Presentation**

A. First Presbyterian Church of Peoria National Register Designation

Melissa Sigmund, Planner, informed Council that the First Presbyterian Church of Peoria has received national recognition for the historic significance of the building by being listed on the National Register of Historic Places.

18. **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 items:

- A. Special Events, Keep it Safe: a Family Affair and Get Your Green On
- B. Bioinspire Grand Opening Event
- C. November 8, 2012 Job Fair

Reports from City Council:

Councilmember Leone reported on the various City of Peoria activities he attended. Councilmember Leone commended Councilmember Rivero and staff on a successful Fiesta Peoria event.

Councilmember Carlat thanked citizens for attending open house discussions on electronic billboards in northern Peoria.

Councilmember Rivero extended his appreciation to the Mayor and Council for their support of the Fiesta Peoria 2012 event. Councilmember Rivero expressed his gratitude to City staff, volunteers and sponsors for their participation in the event.

Councilmember Pearson congratulated Councilmember Rivero on the success of Fiesta Peoria. Councilmember Pearson thanked staff for conducting six public meetings regarding digital billboards.

Councilmember Evans complimented Councilmember Rivero on Fiesta Peoria 2012. Councilmember Evans reported on a tour of the Willow District with the new Community Services Director, John Sefton. Councilmember Evans encouraged citizens to provide their input on any City matters by contacting their Councilmember.

Vice Mayor Aames reported on the events he attended at Theater Works during Fiesta Peoria. Vice Mayor Aames reported on the opening of the Scotland Yard neighborhood park.

Reports from the Mayor:

Mayor Barrett extended his congratulations to Councilmember Rivero on Fiesta Peoria 2012.

ADJOURNMENT:

Being no further business to come before the Council, the meeting was duly adjourned at 7:52 p.m.

Bob Barrett, Mayor

ATTEST:

Rhonda Geriminsky, Interim City Clerk

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct summary of the proceedings of the City Council Meetings of the City Council of Peoria, Arizona held on the 18th day of September, 2012. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 9th day of October, 2012.

(Seal)

Rhonda Geriminsky, Interim City Clerk