

**MINUTES OF THE AVONDALE CITY COUNCIL**  
CITY OF AVONDALE, ARIZONA  
ONLINE MEETING  
September 7, 2021

A **Regular Meeting** of the City Council of the City of Avondale, Arizona was convened using the Zoom Cloud Meeting platform in open and public session at 7:00 p.m. All participants attended by phone or video.

Mayor Kenn Weise led the Pledge of Allegiance followed by a moment of silent reflection in remembrance of the Phoenix firefighter who died of COVID.

**Members Present:** Mayor Kenn Weise; Vice Mayor Veronica Malone; and Council Members Tina Conde, Pat Dennis, Bryan Kilgore, Curtis Nielson, and Mike Pineda.

**Members Absent:** None.

**Other Municipal Officials Present:** Charles Montoya, City Manager; Cherlene Penilla, Assistant City Manager; Lindsey Duncan, Deputy City Manager; Nicholle Harris, City Attorney; Linda Mendenhall, Deputy City Clerk; Kirk Beaty, Public Works Director; Ken Chapa, Economic Development Services Director; Keith Fallstrom, Interim Finance and Budget Director; Bryan Hughes, Parks and Recreation Director; Chris Lopez, Neighborhood and Family Services Director; Darcy Lowery, Interim Human Resource Director; Kevin Murphy, Development and Engineering Services Director; Dale Nannenga, Police Chief; Marshall Pimentel, Intergovernmental Affairs Administrator; Jeffrey Scheetz, Chief Information Officer; and Pier Simeri, Marketing and Public Relations Director.

**Audience:** Approximately ten members of the public were present.

**1. ROLL CALL AND STATEMENT OF PARTICIPATION BY THE CITY CLERK**

**2. UNSCHEDULED PUBLIC APPEARANCES**

Linda Mendenhall, Deputy City Clerk read the following email sent by Ramon Carranza for public comment regarding code compliance notices to residents.

**3. PRESENTATION ITEMS**

**a. PROCLAMATION RECOGNIZING DAVID IWANSKI**

City Council presented a proclamation to former Council Member David Iwanski for his willingness to continue to serve Avondale as an appointed member of various Boards and Commissions, helping make Avondale the best city it can be. Council Members. Mayor Weise read a proclamation honoring Mr. Iwanski. Council Members spoke words of appreciation for Mr. Iwanski's service to the community.

**b. INTRODUCTION OF NEW EMPLOYEE**

Kirk Beaty, Public Works Director, introduced the new Transit Manager, Matthew Dudley. Council Members welcomed Mr. Dudley to the City of Avondale.

**c. CITY MONSOON RESPONSE AND GILA BEND ASSISTANCE**

Kirk Beaty, Public Works Director, presented a Public Works Department update on the department's efforts in responding to monsoon flooding and damage within the City, and assistance with recovery efforts within the Town of Gila Bend. Mr. Montoya spoke words of appreciation to the Public Works Department and to City Council for their notices when issues arise.

**4. CONSENT AGENDA**

Items on the consent agenda are of a routine nature or have been previously studied by the City Council at a work session. They are intended to be acted upon in one motion. Council members may pull items from consent if they would like them considered separately.

Mayor Weise asked if any Council Member wished to have an item removed from the Consent Agenda. Having no requests from Council, motion was made by Council Member Nielson, seconded by Council Member Kilgore, to approve the Consent Agenda.

Upon vote, the motion carried unanimously 7 to 0.

|                        |     |
|------------------------|-----|
| Council Member Conde   | Aye |
| Council Member Dennis  | Aye |
| Council Member Kilgore | Aye |
| Council Member Nielson | Aye |
| Council Member Pineda  | Aye |
| Vice Mayor Malone      | Aye |
| Mayor Weise            | Aye |

**a. APPOINTMENT OF CHAIR AND VICE CHAIR TO THE PLANNING COMMISSION**

City Council appointed Christopher Thompson as the Chair of the Planning Commission and Lisa Osborne as the Vice Chair of the Planning Commission for the remainder of the 2021 calendar year.

**b. BUDGET AMENDMENT AND AWARD AUTHORITY - MCDOWELL RECHARGE BASIN**

City Council approved a \$33,000 increase to the administrative award authority for the McDowell Recharge Basin Improvements (22169); a budget transfer in the amount of \$33,000 from the Water Operating Budget to the Water Capital Budget to fully fund the project (U0078), adjust the interfund transfer schedule, and authorized the Mayor, or City Manager and City Clerk to execute the necessary documents.

**c. AWARD AUTHORITY FOR PUBLIC WORKS FISCAL YEAR 2022 OPERATING BUDGET**

City Council amended the Administrative Awarding Authority for certain operating products and services for FY2021-2022 and authorized the Mayor, or City Manager and City Clerk to execute the necessary documents.

**d. ORDINANCE 2042-0921 ACCEPTING OF PUBLIC UTILITY EASEMENT (PUE) DEDICATION BY MARICOPA COUNTY ON THE SOUTH SIDE OF HARRISON STREET**

City Council adopted Ordinance 2042-0921, accepting a Public Utility Easement dedicated by Maricopa County on the south side of Harrison Street, located just East of 4<sup>th</sup> Street, for the installation of new streetlights and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

**e. ORDINANCE 2043-0921 - GRANTING AN ELECTRICAL EASEMENT TO SALT RIVER PROJECT (SRP) FOR THE NEW BLVD WATER FEATURES**

City Council adopted Ordinance 2043-0921, granting an Electrical Easement to Salt River Project for the new BLVD Water Features and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

**f. RESOLUTIONS 1071-0921 AND 1072-0921 – ROOSEVELT PARK II PHASE 4 MAINTENANCE IMPROVEMENT DISTRICT**

City Council: (a) approved a Petition for Formation; (b) adopted Resolution 1071-0921, declaring its intention to form the City of Avondale Maintenance Improvement District No. 29, Roosevelt Park II Phase 4, providing for the assessment, and; (c) adopted Resolution 1072-0921, declaring its intention to order the improvements within the newly established maintenance improvement district, providing for the assessment, declaring an emergency; and (d) authorized the Mayor, City Attorney and City Clerk to execute the necessary documents.

**g. FINAL PLAT – ROOSEVELT PARK II PHASE 4 - APPLICATION PL-21-0182**

City Council approved a request by Mr. Joe Petrucci, EPS Group, Inc., for a Final Plat for Roosevelt Park II Phase 4, approximately 15.43 gross acres (12.16 net acres) located at the southwest corner of 107th Avenue and Roosevelt Street. Consistent with the Preliminary Plat approved by City Council on July 5, 2021, the proposed Final Plat will create 56 single-family residential lots, eight (8) common area open space/landscaping tracts, and a tract to accommodate private streets within Phase 4, and dedicate easements as needed to serve the future development.

**h. FINAL PLAT OF AVONDALE AUTO MALL PHASE 2 LOT 11D FOR AUTONATION USA (RE-PLAT OF AVONDALE AUTO MALL PHASE 2 LOT 11A AND LOT 12) - APPLICATION PL-21-0137**

City Council approved a request by Mr. Traver Jones, Kimley-Horn and Associates, on behalf of AutoNation USA, for a Final Plat for Avondale Auto Mall Phase 2 Lot 11D. The proposed Final Plat consolidates two (2) existing parcels located at the northeast corner of 107th Avenue and Roosevelt Street into a single 7.94-acre lot and dedicates right-of-way to accommodate future widening of 107th Avenue.

## **5. REGULAR AGENDA**

### **a. PUBLIC HEARING AND ORDINANCE 2044-0921 - VAN BUREN 101 - REZONE MAJOR AMENDMENT TO THE INTERSTATE COMMERCE CENTER PAD - PL-21-0080**

City Council held a public hearing and considered a request to adopt Ordinance 2044-0921, approving a rezone request by Adam Baugh, Withey Morris PLC, for a Major Amendment to the Interstate Commerce Center Planned Area Development (PAD) to revise the PAD's permitted uses to allow warehouse and distribution uses as a primary use on Lot 11 of the Interstate Commerce Center, which is 5.50 net acres of vacant land located at the northeast corner of 101st Avenue and Van Buren Street. Permitted uses on other parcels within the Interstate Commerce Center PAD are not modified by the proposed Amendment and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

Ann Dolmage, Senior Planner for Development and Engineering Services, provided an overview of the project site details and surrounding uses. The request is to amend the interstate commerce Center PAD and revise the permitted uses for the site to include warehouse and distribution as a primary use on lot 11. The project proposal would establish Commerce Park (CP) development standards with the following exceptions:

- Front yard setback reduced from 25 feet to 15 feet.
- Street side yard setback reduced from 25 to 10 feet.
- Rear yard and interior side yard setbacks reduced from 15 feet to 5 feet average.
- Building height increase from 35 feet to 47 feet.

The PAD amendment will facilitate construction of a new industrial building approximately 95,580 square feet in size. The site will have entrances on both street frontages and truck wells at the rear corners of the building, which will be shielded from view of Van Buren Street as well as on 101<sup>st</sup> Avenue. Seventy-three parking spaces are required by the project; however, 92 will be provided. Building design details were reviewed. The project will develop employment-generating uses for the City that are compatible with the surrounding area. Infrastructure necessary to serve the development will be installed by the developer. All required public notifications have been completed. Three comments were received on aVOICE, with one in favor and two opposed. Staff recommends approval of the ordinance, subject to six recommended conditions of approval.

Mayor Weise opened the public hearing and did not receive any requests to speak. Mayor Weise closed the public hearing. The applicant's representative, Adam Baugh with Withey Morris PL provided brief comments about the project, noting that the proposed development is entirely compatible with what already exists in the area.

Council Members Conde and Kilgore did not have any questions or comments for staff. In response to a question from Council Member Dennis regarding the setback for the side yard on 101<sup>st</sup> Avenue, Mr. Montoya stated that City staff will make sure that the alignment

is set to ensure adequate space for sidewalks. Council Member Dennis commented on the quality appearance of the proposed design.

Council Member Nielson asked about the future plans for the multi-use path from 107<sup>th</sup> Avenue to 99<sup>th</sup> Avenue, noting the need of an easement on the south side of the property. Mr. Montoya stated the existing path across Van Buren Street was completed through a joint project with Department of Transportation and Maricopa Association of Governments. The Parks and Recreation Director is looking to expand and connect trails throughout the City, which will remain a priority.

Council Member Pineda noted the importance of acknowledging the public comments received. He noted that the building taking place to the north and the east is of similar design (industrial), the development and elevation are appropriate.

Mayor Weise commented that he has no issues with the development and that it blends well with the area. He noted small business that could use a facility of such size. Council Member Malone did not have any questions or comments for staff.

Council Member Dennis moved to adopt Ordinance 2044-0921, approving Application PL-21-0080, subject to six (6) recommended conditions of approval; Council Member Conde seconded the motion.

Upon vote, the motion was carried unanimously 7 to 0.

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|------------------------|-----|
| Council Member Conde   | Aye |
| Council Member Dennis  | Aye |
| Council Member Kilgore | Aye |
| Council Member Nielson | Aye |
| Council Member Pineda  | Aye |
| Vice Mayor Malone      | Aye |
| Mayor Weise            | Aye |

## **6. ADJOURNMENT**

There being no further business before the Council, Council Member Nielson moved to adjourn the Regular meeting; Council Member Pineda seconded the motion.

Upon vote, the motion was carried unanimously 7 to 0.

|                        |     |
|------------------------|-----|
| Council Member Conde   | Aye |
| Council Member Dennis  | Aye |
| Council Member Kilgore | Aye |
| Council Member Nielson | Aye |
| Council Member Pineda  | Aye |
| Vice Mayor Malone      | Aye |
| Mayor Weise            | Aye |

Meeting adjourned at 7:41 p.m.

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Kenn Weise, Mayor

#### CERTIFICATION AND ATTESTATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of the Council of the City of Avondale held on the 7th day of September 2021. I further certify that the meeting was duly called and held, and that the quorum was present.

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Marcella Carrillo, City Clerk

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Date Approved by City Council