

TOWN OF BUCKEYE
REGULAR COUNCIL MEETING
NOVEMBER 7, 2006
MINUTES

Town Council Chamber
100 N. Apache Road
Buckeye, AZ 85326
7:00 p.m.

1. Call to Order/Pledge of Allegiance/Roll Call.

Mayor Bryant called the meeting to order at 7:01 p.m. and lead the pledge of allegiance .

Members Present: Councilman Hardesty, Councilman Garza (arrived at 7:10 p.m.), Vice Mayor Beard, Mayor Bryant, Councilman Doster, Councilwoman May, and Councilman Rioux.

Members Absent: None

Departments Present: Interim Town Manager Jeanine Guy, Town Attorney Scott Ruby, Town Clerk Linda Garrison, Deputy Clerk Lucinda Aja, Public Works Director Scott Lowe, Interim Recreation and Library Director Cheryl Sedig, Airport Director Tom Chlebinowski, Information Technology Director Dee Hathaway, Human Resource Director, Economic Development Director Lori Gary, Public Information Officer Bob Bushner, Community Development Director Bob Bushfield, Police Chief Dan Saban, Fire Chief Scott Rounds, and Town Engineer Woody Scoutten.

2. Comments from the Public

Richard Adams spoke to council about his concerns regarding the Police Department.

2A. (1) Mayor Bryant presented a Service Award to Les Meredith retiring as Manager of Buckeye Aquatic Center.

(2) Mayor Bryant presented the first quarterly Customer Service Award to Scott Tijerina of the Public Works Department.

CONSENT AGENDA ITEMS

All items with an (*) are considered to be routine matters unless a Councilmember requests the item be pulled for discussion. A motion was made by Vice Mayor Beard and seconded by Councilman Rioux to approve the Consent Agenda as presented. Councilwoman May voted nay on Item's *5C, and *5G. Councilman Hardesty, Councilman Garza, Vice Mayor Beard, Mayor Bryant, Councilman Doster and Councilman Rioux voted aye. Motion carried. Items *3, *4, *5A, *5B,*5D, *5E, *5F, and *5H passed unanimously.

***3. Minutes**

Council approved the minutes of the October 17, 2006 Special Meeting, and Regular Council meeting.

***4. Invoices**

Council approved the invoices due by the Town for payment. Copies of invoices are available at Town Hall.

5. NEW BUSINESS

***5A. Assistant Director Position/ Plans Coordinator**

Council approved the elimination one Assistant Director Position (Grade 78) and the addition of one Plans Coordinator (Grade 44) and to transfer budget authority from Community Development to the General Fund Contingency (workload indicators) in the amount of \$48,844.

***5B. Office Assistant/Administrative Assistant**

Council approved the reclassification of an Office Assistant (Grade 31) to an Administrative Assistant position (Grade 43) within the Community Development Department and transfer budget authority from General Fund Contingency (workload indicators) to Community Development in the amount of \$9,291.

***5C. Buckeye Rotary Club Special Events License**

Council approved the request from the Buckeye Rotary Club for a Special Events Liquor License in connection with a poker tournament fundraiser to be held at the Buckeye Rodeo Grounds on Saturday, November 18, 2006 from 1:00 p.m to 10:00 p.m.

***5D. Miller Road Improvement District-Resolution 48-06**

Council adopted Resolution 48-06 approving the application for Modification of Assessments of Assessment No. 8 for the Miller Road Improvement District.

***5E. Downtown Holiday lights**

Council ratified the commitment of purchase of Holiday lights from the Downtown Revitalization Fund in the amount not to exceed \$29,240.

***5F. Dell Marketing L.P. Computer Equipment, Software, Peripherals**

Council approved the purchase of computer equipment, software, peripherals and related services from Dell Marketing L.P. under State Contract #A63307 for fiscal year 2006/2007, including ratification of prior commitments.

***5G. Buckeye Rotary Club Special Events Liquor License**

Council approved the request from the Buckeye Rotary club for a Special Events Liquor License in connection with the demolition derby fundraiser to be held at the Buckeye Rodeo Grounds on Saturday, November 11, 2006 from 5:00 p.m. to 10:00 p.m.

***5H. (LTAF II) / ADOT Funding**

Council approved the authorization for the continuation of the application process for Local Transportation Assistance Funding (LTAF II) from the Arizona Department of Transportation and Town matching funds (\$18,750.73 General Fund Contingency one time account) and to establish budget authority in the amount of \$93,753.65 to be used for transit planning for an interim park and ride bus facility with the Town along the I-10 corridor in preparation of the Valley Metro Papago Freeway bus connector route slated for implementation in July 2008.

6. TABLED ITEMS

6A. Wireless Communications Facility Agreement Singular Wireless PCS, LLC

A motion was made by Councilman Doster and seconded by Councilman Rioux to Table the Wireless Communications Facility Agreement between New Singular Wireless PCS, LLC and the Town with an initial term of five years until the December 5, 2006 Meeting. Motion passed unanimously.

6B. Final Plant-CRYSTAL VISTA FP05-101

A motion was made by Councilman Rioux and seconded by Councilwoman May to approve the Final Plat consisting of 311 single family lots generally located at the northwest corner of Apache Road and Roesser Road alignment requested by John Fortini of Silver Fern Management on behalf of Vantage Homes. Motion passed unanimously.

7. NEW BUSINESS

7A. PUBLIC HEARING Town of Buckeye Development Code Section 7-3-3 Community Master Plan

A motion was made by Councilwoman May and seconded by Councilman Garza to table the Public Hearing to hear citizen input on the proposed text amendment to the Town of Buckeye Development Code Section 7-3-3 Community Master Plan until the November 21, 2006 Regular Council Meeting. Motion passed unanimously.

7B. PUBLIC HEARING Amendment to the Town of Buckeye General Plan from Single-Family Residential to General Commercial PERRYVILLE & BROADWAY COMMERCIAL CORNER GPA06-05

A Public Hearing was opened at 7:18 p.m. to hear citizen input on a proposed Amendment to the Town of Buckeye General Plan from Single-Family Residential to General Commercial on approximately 22.78 acres located at the northwest corner of Broadway and Perryville Road. Community Development Planning Manager Suparna Dascupta and Jim Talbert, representing the property owner were available to answer questions. There being no public comment the hearing was closed at 7:20 p.m.

7C. PERRYVILLE & BROADWAY COMMERCIAL CORNER GPA06-05

A motion was made by Councilwoman May and seconded by Councilman Doster to adopt Resolution 49-06 authorizing a General Plan Amendment to the Town of Buckeye General Development Plan Land Use Map from Single-Family Residential to General Commercial on approximately 22.78 acres located at the northwest corner of W. Broadway Road and S. Perryville Road. Motion passed unanimously.

7D. PUBLIC HEARING-BUCKEYE 120 ESTATES MAJOR AMENDMENT GPA06-06

A Public Hearing was opened at 7:22 p.m. to hear citizen input on a proposed Amendment to the General Plan on approximately 120 acres from Agriculture/Rural Residential to Single-Family Residential located at the northwest corner of Johnson Road and Baseline Road. Ernie Wright was available to answer Council's questions. There being no public comment the hearing was closed at 7:24 p.m.

7E. BUCKEYE 120 ESTATES MAJOR AMENDMENT GPA06-06

A motion was made by Councilman Hardesty and seconded by Vice Mayor Beard to adopt Resolution 50-06 authorizing a General Plan Amendment to the Town of Buckeye General Development Plan Land Use Map and Amending the designation of approximately 120 acres generally located north of Baseline Road extending $\frac{3}{4}$ mile north and west of Johnson Road extending $\frac{1}{2}$ mile west from Agricultural/Rural Residential to Single Family Residential. Motion passed unanimously.

7F. PUBLIC HEARING COTTON PICKIN MAJOR GENERAL PLAN AMENDMENT GPA06-08

A Public Hearing was opened at 7:25 p.m. to hear citizen input on the proposed amendment to the General Plan on approximately 60.82 acres from Agriculture/Rural Residential to Single Family Residential generally located on the southeast corner of MC 85 and Watson Road. There being no public comment the hearing was closed at 7:26 p.m. Councilman Rioux abstained from discussion due to conflict of interest due to the close proximity of the property to his house.

7G. Resolution 51-06 COTTON PICKIN MAJOR GENERAL PLAN AMENDMENT GPA06-08

A motion was made by Vice Mayor Beard and seconded by Councilman Rioux to approve Resolution 51-06 authorizing a General Plan Amendment to the Town of Buckeye General Development Plan Land use Map and amending the designation of approximately 60.82 acres generally bounded on the west by Watson Road, on the east by the 231st Avenue alignment, on the south by the north $\frac{1}{4}$ Section line, and on the north by MC 85 from Agricultural/Rural Residential

to Single Family Residential. Councilman Rioux abstained from voting due to a conflict of interest due to the close proximity of his residence to this property. Councilman Hardesty, Councilman Garza, Vice Mayor Beard, Mayor Bryant, Councilman Doster, and Councilwoman May voted aye. Motion carried.

7H. PUBLIC HEARING GORDON'S LANDING MAJOR AMENDMENT GPA A06-10

A Public Hearing was opened at 7:27 p.m. to hear citizen input on the proposed amendment to the General Plan on approximately 400 acres generally located in the vicinity of 315th Avenue and Baseline Road from Agriculture/Rural Residential, Open Space, and Heavy Industrial to Master Planned Community as set forth on the Land use Plan. There being no public comment the hearing was closed at 7:28 p.m.

7I. Resolution 52-06 GORDON'S LANDING MAJOR AMENDMENT GPA A06-10

A motion was made by Councilman Hardesty and seconded by Vice Mayor Beard to Council to adopt Resolution 52-06 authorizing a General Plan Amendment to the Town of Buckeye General Development Plan Land Use Map and amending the designation of approximately 400 acres generally located in the vicinity of 315th Avenue and Baseline Road from Agriculture /Rural Residential, Open Space, and Heavy Industrial to Master Planned Community. Councilman Rioux voted nay. Councilman Hardesty, Councilman Garza, Vice Mayor Beard Mayor Bryant, Councilman Doster, and Councilwoman May voted aye. Motion carried.

7J. PUBLIC HEARING BUCKEYE 142 MAJOR AMENDMENT GPA06-11

A Public Hearing was opened at 7:29 p.m. to hear citizen input on the proposed amendment to the General Plan on approximately 142 acres from Mixed Economic Use, Light Industrial, Rural Residential, and Parks/Open Space to Mixed Economic Use on property located at the southwest corner of MC 85 and Watson Road. Nusrat Akcay of Westcom was available to answer Council's questions. There being no public comment the hearing was closed at 7:30 p.m. Councilman Rioux abstained from voting due to a conflict of interest due to the close proximity of his residence to this property.

7K. BUCKEYE 142 MAJOR AMENDMENT GPA06-11

A motion was made by Councilwoman May and seconded by Vice Mayor Beard Council to adopt Resolution 53-06 authorizing a General Plan Amendment to the Town of Buckeye General Development Plan Land Use Map and amending the designation of approximately 142 acres generally located at the southwest corner of MC 85 and Watson Road from Mixed Economic Use, Light Industrial, Rural Residential and Open Space to Mixed Economic Use. Councilman Rioux Abstained. Councilman Hardesty, Councilman Garza, Vice Mayor Beard Mayor Bryant, Councilman Doster, and Councilwoman May voted aye. Motion carried.

7L. PUBLIC HEARING STARDUST 20ac MAJOR AMENDMENT GPA06-14

A public hearing was opened at 7:31 p.m. to hear citizen input on the proposed amendment to the General Plan on approximately 20 acres generally located between Bruner Road and Sun Valley Parkway, south of McDowell Road from Rural residential to Single Family Residential, and as set forth on the Land Use Plan. Attorney Stephen Earl was available to answer Council's questions on behalf of the applicant. There being no public comment the hearing was closed at 7:33 p.m.

7M. Resolution 54-06 STARDUST 20ac MAJOR AMENDMENT GPA06-14

A motion was made by Councilman Doster and seconded by Councilwoman May to Table Resolution 54-06 authorizing a General Plan Amendment to the Town of Buckeye General Development Plan Land Use Map and amending the designation of approximately 20 acres generally located between Bruner Road and Sun Valley Parkway, south of McDowell Road from Rural Residential to Single-Family Residential until the November 21, 2006 Regular Council Meeting due to the new Airport Manager not having time to review the Amendment. Motion passed unanimously.

7N. PUBLIC HEARING HUNTER INDUSTRIAL MAJOR AMENDMENT GPA06-16

A Public Hearing was opened at 7:36 to hear citizen input on the proposed amendment to the General Plan from Open Space to Light Industrial on approximately 9 acres located east of Apache Road, north of the Buckeye Canal, and south of the Railroad tracks. There being no public comment the hearing was closed at 7:36 p.m.

7O. Resolution 55-06 HUNTER INDUSTRIAL MAJOR AMENDMENT GPA06-16

A motion was made by Councilwoman May and seconded Vice Mayor Beard to adopt Resolution 55-06 authorizing a General Plan Amendment to the Town of Buckeye General Development Plan Land Use Map and amending the designation of approximately 9 acres generally located east of Apache Road, north of the Buckeye Canal, and south of the Railroad tracks from Open Space to Light Industrial. Motion passed unanimously.

7P. Resolution 57-06 Buckeye Town Center Regional Improvements Agreement

Economic Development Director Lori Gary was available to answer Council's questions. Mayor Bryant verified that Airport Road would be a thru road. After some discussion a motion was made by Councilwoman May and seconded by Councilman Rioux to adopt Resolution 57-06 approving the Buckeye Town Center Regional Improvements Agreement; making certain findings of fact; and authorize the Mayor or Manager to sign the agreement. Motion passed unanimously.

7Q. Aquatic Environmental Systems, Inc.

A motion was made by Councilwoman May and seconded by Councilman Rioux to approve an emergency purchase under Town of Buckeye's Procurement Code, Sec. 3-4-22 Emergency Procurement, and enter into a contract with Aquatic Environmental Systems, Inc. in the amount of \$85,278.09 for replacement of the filtration system to be funded from General Funds/APS Mitigation Funds. Motion passed unanimously.

7R. Agreement for Professional Services with Willdan Corporation

A motion was made by Councilwoman May and seconded by Councilman Rioux to approve the Agreement for Professional Services with Willdan Corporation to provide building, planning and engineering plan reviews, inspection services and legal descriptions for the Community Development Department. Motion passed unanimously.

7S. Resolution 58-06 Allied Waste Transportation Inc.

A motion was made by Councilwoman May and seconded Councilman Rioux to adopt Resolution 58-06 approving an amendment to a contract with Allied Waste Transportation Inc. for the collection and disposal of refuse and declaring an emergency to exist. Motion passed unanimously.

7T. Resolution 59-06 Personnel Rules and Policies of the Town of Buckeye

A motion was made by Councilwoman May and seconded by Councilman Rioux to adopt Resolution 59-06 amending that certain document known as "Personnel Rules and Policies of the Town of Buckeye" by deleting Chapter 9, Section 920 Procedures and 930 Appeals and replacing with the attached. Motion passed unanimously.

7U. Resolution 60-06 Personnel Rules and Policies of the Town of Buckeye

A motion was made by Councilwoman May and seconded by Councilman Doster to adopt Resolution 60-06 amending that certain document known as "Personnel Rules and Policies of the Town of Buckeye" by amending Chapter 4 Classification and Compensation in its entirety and to recognize the market adjustment retro to July 2, 2006 at 12:01 a.m. to transfer budget authority in the amount of \$136,347 from General Fund Contingency (continuous operations) to the appropriate General Fund departments. Motion passed unanimously.

7V. 15 Full Time Firefighters

Scott Rounds was available to answer Council's questions. A motion was made by Councilwoman May and seconded by Councilman Garza to approve the early authorization and allocation of 15 full time firefighters and adopted budget authority from Non-Departmental (work-load indicator account) to the Fire Department; and transfer budget authority from the General Fund "Emergency Reserve" to the Fire Department as necessitated in an amount not to exceed \$432,744 effective December 1, 2006. Motion passed unanimously.

7W. Ordinance 85-06 Town Code

A motion was made by Councilwoman May and seconded by Councilman Rioux to adopt Ordinance 85-06 amending Chapter 17, Articles 17-1 Administration, 17-2 Application for Services, 17-3, Deposit; 17-4, Discontinuance of Service; 17-5, Rates and Bills; and 17-6 Meters, of the Buckeye Town Code. Motion passed unanimously.

7X. Ordinance 86-06 Town Code

Mike Brill voiced his concern about the use of water and requested that page 13, 13A be deleted. A motion was made by Councilman Rioux and seconded by Vice Mayor Beard to adopt Ordinance 86-06 amending the Town Code by adding Chapter 13A, Water and Wastewater Requirements, relating to water and wastewater facility requirements for the design, construction, installation, operation, maintenance, repair and payment of water production, treatment and delivery facilities, and wastewater collection, treatment and disposal facilities, including reclaimed water facilities and recharge facilities, in order to ensure the efficient use of water and wastewater resources for the benefit of the Town and its residents. Motion passed unanimously.

8. Town Manager's Report

- *Introduced Chelise McNeil and Ton Whittler from Public Works.
- *Ribbon cutting at CAP office and Public Works did the job for \$10,000 instead of \$30,000 to contract out.
- *Saturday for Earl Edgar Park
- *Countryfest Parade, Carnival, and Demolition Derby.
- *November 18th is Hometown Holiday Boutique.

9. Comments from the Mayor and Council

Councilman Hardesty-None

Councilman Garza-apologized for missing hamburger fry.

Councilman Doster-None

Councilwoman May-None

Councilman Rioux-Commended Town Staff and Town Manager for their efforts in finding a new Town Manager.

Vice Mayor Beard-None

Mayor Bryant-Town Manager negotiations are underway and may be on the next agenda. Commended Staff for assistance.

10. Adjournment.

There being no further business to come before Council a motion was made by Councilman Rioux and seconded by Councilwoman May to adjourn the meeting at 8:20 p.m. Motion passed unanimously.

Bobby Bryant, Mayor

ATTEST:

Linda Garrison, Town Clerk

I hereby certify that the foregoing is a true and correct copy of the Regular Meeting held on the 7th day of November, 2006. I further certify that a quorum was present.

Linda Garrison, Town Clerk