

**CITY OF BUCKEYE
REGULAR COUNCIL MEETING
AND
BOARD OF ADJUSTMENTS
JANUARY 20, 2015
MINUTES**

**City Council Chambers
530 E. Monroe Ave.
Buckeye, AZ 85326
6:00 p.m.**

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

Mayor Meck called the meeting to order at 6:00 p.m. Pastor Bobby Reed of Christ's Church of the Valley led the invocation.

Members Present: Councilmember Strauss, Councilmember Hess, Councilmember McAchran, Councilmember Heustis, Vice Mayor Orsborn, and Mayor Meck.

Members Absent: Councilmember Garza.

Departments Present: City Manager Stephen Cleveland, Assistant City Manager Roger Klingler, City Attorney Shiela Schmidt, City Clerk Lucinda Aja, Deputy City Clerk Summer Stewart, Assistant to Council Carol Conley, Fire Chief Bob Costello, Assistant Police Chief Robert Sanders, Economic Development Director Len Becker, Finance Director Larry Price, Community Services Director Cheryl Sedig, Public Works Director Scott Lowe, Development Services Director George Flores, City Engineer Scott Zipprich, Information Technology Director Greg Platacz, Marketing and Communications Manager Jennifer Rogers, Government Relations Manager George Diaz, Library Manager Jana White, and Planning Manager Terri Hogan.

2A. Comments from the Public - None.

2B. Awards/Presentations/Proclamations

Jim Wright with the Government Fleet Management Alliance presented an award to Mayor Meck, on behalf of the City, in recognition of the City of Buckeye becoming a Certified Fleet Management Organization.

3. Minutes

A motion was made by Vice Mayor Orsborn and seconded by Councilmember Hess to approve the minutes of the October 30, 2014 Council Policy Discussion and the December 16, 2014 Council Workshop and Regular Council Meeting. Motion passed unanimously.

4. Expenditures

A motion was made by Vice Mayor Orsborn and seconded by Councilmember Strauss to ratify the payment of the accounts payable expenditures made. Copies of invoices are available at City Hall. Motion passed unanimously.

CONSENT AGENDA ITEMS

Approval of items on the Consent Agenda - All items with an (*) are considered to be routine matters. A motion was made by Vice Mayor Orsborn and seconded by Councilmember Heustis to approve Consent Item *5A. Motion passed unanimously.

*5. New Business

- *5A. **Ordinance No. 01-15 Right-of-Way Annexation/Transfer of a Tract of Maricopa County Right-of-Way Located Along the Yuma Road Alignment, East of Palo Verde Road and Along the Palo Verde Road Alignment, South of Lower Buckeye Road**
Staff Liaison: Adam Copeland, Senior Planner
District No. 1

Council adopted Ordinance No. 01-15, an ordinance extending and increasing the corporate limits of the City of Buckeye, Maricopa County, State of Arizona, pursuant to the provisions of title 9, chapter 4, article 7, Arizona Revised Statutes and amendments thereto, by annexing/transferring a tract of Maricopa County right-of-way located along the Yuma Road alignment, east of Palo Verde Road and along the Palo Verde Road alignment, south of Lower Buckeye Road.

6. Continued / Tabled Items-None

7. Public Hearings / Non-Consent - New Business

- 7A. **Public Hearing and Action Resolution No. 04-15 Establishing Increased Flood Irrigation Rates and Charges; Establishing an Effective Date; Repealing Conflicting Resolutions**
Staff Liaison: Dave Nigh, Water Resources Director
District No. All

Mayor Meck opened the public hearing at 6:07 p.m. to hear citizen input regarding Increased Flood Irrigation Rates and Charges. Mr. Nigh provided an overview of the proposal to establish increased flood irrigation rates and charges. There are approximately 388 customers currently using flood irrigation services. City staff delivers flood irrigation to each customer's yard. A service area map was displayed. The water is purchased by the City from the Roosevelt Irrigation District or the Buckeye Water Conservation Drainage District. Parts of the irrigation systems are over 60 years old. The flood irrigation program currently realizes losses of up to \$200,000 annually. The general fund subsidized the service until July 2010 when it was moved to the Water Resources department. In 2012, Council directed staff to perform a study to determine rates and a subcommittee was formed. The subcommittee met to provide a potential solution; results were presented to Council with a proposal for increased flood irrigation rates. Meetings with the public were held; the general public at the time was of the opinion that the City should absorb the costs to provide the service without modifying rates. Mr. Nigh presented a cost summary with a total annual cost of \$315,000. With rate increases over the next few years and without factoring potential major repairs, the City will still continue to experience a loss. The cost to rebuild the entire system would cost approximately four million dollars. The current water base is subsidizing the program; most irrigation customers have rejected all proposals presented at public meetings. Monthly irrigation rates currently collected are \$26.78 or \$29.97, depending on location of the residence; the current cost to provide the service is approximately \$58 per month. Proposed rates were presented; staff proposes a uniform rate of \$35 per customer per month commencing in 2015, \$45 per month per customer commencing January 2016, and \$55 per month per customer commencing January 2017. The City would like to continue providing this service for the health of the trees, yards and environment. John Hawley (803 East Lincoln Avenue) presented statements in support of rate increases, but would like rates reviewed annually as opposed to automatic rates increases through 2017. Ed Blank (720 East Edison Avenue) provided statements in opposition of increased flood irrigation rates. Louis Saide (Edison Avenue) presented concerns related to flood irrigation rate increases. Patrick McNulty (1517 East Orange Street) presented statements regarding increased flood irrigation rates and potential solutions. John Mestas (202 North 9th Street) presented statements regarding potential impacts of irrigation rate increases. Roger Kassebaum (313 5th Avenue West) presented concerns related to irrigation rate increases and the

health of neighborhood trees. There being no further public comment, Mayor Meck closed the public hearing at 6:39 p.m. Councilmember Heustis commented with regard to the numerous water rate conversations held and the increasing cost to provide the services. Councilmember McAchran discussed his support of using irrigation for landscaping and stated he supports subsidizing flood irrigation rates in the general fund. Councilmember Hess provided comments with regard to the extent of discussions held by Council regarding water rate increases and the continual review of those rates; the cost to provide this service has increased and she supports a rate increase with consistent review. Mr. Nigh provided clarification regarding enterprise funds. Vice Mayor Orsborn discussed the need to cover the deficit created by providing the flood irrigation service; stated no contingency money is currently set aside for repairs or renovation; stated residents benefiting from the service should pay the cost of receiving the service. Councilmember Strauss discussed the potential of reducing overall water usage. Mr. Nigh stated the majority of costs to deliver flood irrigation are labor costs and provided clarification related to water used to irrigate City parks. Mayor Meck discussed the City's current budget, the rising cost to provide services, and the cost of necessary major repairs. General discussion was held regarding the potential of forming a water district and residents were encouraged to research this option. A motion was made by Vice Mayor Orsborn and seconded by Councilmember Strauss to adopt Resolution No. 04-15 establishing increased flood irrigation rates and charges; establishing an effective date; repealing conflicting resolutions. Councilmember Garza was absent. Mayor Meck, Councilmember Hess and Councilmember Heustis voted aye; Councilmember McAchran voted nay. Motion carried.

**7B. Public Hearing and Action Application to add Sampling Privileges to Active Series 9 (Liquor Store) Liquor License No. 09070246, for Wal-Mart Supercenter #3407, Located at 1060 S. Watson Road in Buckeye
Staff Liaison: Lucinda Aja, City Clerk
District No. 5**

Mayor Meck opened the public hearing at 7:21 p.m. to hear citizen input regarding the application to add Sampling Privileges for a current Series 9 (Liquor Store) Liquor License No. 09070246, for Walmart Supercenter #3407 located at 1060 S. Watson Road in Buckeye. Ms. Aja provided an overview of the request by Wal-Mart Supercenter to add sampling privileges to their current liquor license. Claire Hollie Abel with Wal-Mart was available for questions. Clarification was provided regarding the regulated limit of three ounces per sample per patron. Training received by the staff providing the samples was addressed. Sampling privileges are used as a method of advertising. There being no further public comment, Mayor Meck closed the public hearing at 7:27 p.m. A motion was made by Councilmember Heustis and seconded by Councilmember McAchran to approve the addition of Sampling Privileges to active Series 9 (Liquor Store) Liquor License No. 09070246, for Walmart Supercenter #3407, located at 1060 S. Watson Road in Buckeye. Requested by Clare Hollie Abel on behalf of Walmart. Motion passed unanimously.

**7C. Action Resolution No. 06-15 Approving a Ground Lease Between the City of Buckeye and Catholic Charities Community Services, Inc., an Arizona Non-Profit Corporation for Certain Real Estate Located at 113 East Centre Avenue in Buckeye
Staff Liaison: Scott Lowe, Public Works Director
District No. 2**

Mr. Lowe provided an overview of the request to approve a ground lease between the City and Catholic Charities Community Services, Inc., who provide Head Start services. The building located at 113 East Centre Avenue was conveyed by Maricopa County to Catholic Charities Community Services, Inc. A Motion was made by Councilmember Hess and seconded by Councilmember Heustis to adopt Resolution No. 06-15 approving a ground lease between the City of Buckeye and Catholic Charities Community Services, Inc., an Arizona non-profit corporation for certain real estate located at 113 East Centre Avenue in Buckeye, in the amount of \$2,378.75 annually for a five-year period, beginning July 1, 2015 through June 30, 2020. Motion passed unanimously.

**7D. Council to Convene into the Board of Adjustments to Consider the Approval of a Variance Requested by Greg Boyd of LGI Homes
Staff Liaison: Ed Boik, Senior Planner
District No. 1**

Ms. Hogan informed Council that noticing errors have been made; the applicant is not present. The item was therefore vacated with no action taken.

8. City Manager's Report and Government Relations
See attached City Manager's Report.

Mr. Diaz provided a legislative and budget update; details of the State budget are expected in approximately one month; transaction privilege tax reform has been discussed by the legislature.

9. Comments from the Mayor and Council
Councilmember Garza: absent.

Councilmember Strauss: mentioned the MetLife Blimp landing at the Buckeye Municipal Airport.

Councilmember Hess: no comment.

Councilmember McAchrn: no comment.

Councilmember Heustis: no comment.

Vice Mayor Orsborn: provided an update of WESTMARC and Governor Ducey's vision for the budget; discussed the recent Buckeye Pollution Control Corporation meeting held at City Hall.

Mayor Meck: no comment.

10. Adjournment

A motion was made by Vice Mayor Orsborn and seconded by Councilmember Hess to adjourn the meeting at 7:44 p.m. Motion passed unanimously.

Jackie A. Meck, Mayor

ATTEST:

Lucinda J. Aja, City Clerk

I hereby certify that the foregoing minutes are a true and correct copy of the Regular Council Meeting held on the 20th day of January, 2015. I further certify that a quorum was present.

Lucinda J. Aja, City Clerk