

**CITY OF BUCKEYE
REGULAR COUNCIL MEETING
DECEMBER 2, 2014
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. Councilmember Strauss led the invocation.

Members Present: Councilmember Garza (via telephone), Councilmember Strauss, Councilmember Hess, Councilmember McAchran, Councilmember Heustis, Vice Mayor Orsborn, and Mayor Meck.

Members Absent: None.

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, Police Chief Larry Hall, Economic Development Director Len Becker, Finance Director Larry Price, Community Services Director Cheryl Sedig, Public Works Director Scott Lowe, Human Resources Director Nancy Love, Water Resources Director Dave Nigh, Development Services Director George Flores, City Engineer Scott Zipprich, Information Technology Director Greg Platacz, Planning Manager Terri Hogan, Library Manager Jana White, and Marketing and Communications Manager Jennifer Rogers.

2A. Comments from the Public - Members of the audience may comment on any item of interest.

Garth Oldham (30345 West Catalina Drive) expressed concerns regarding water rates and potential increases.

Charles Waters (22926 West Arrow Drive) expressed concerns related to flood irrigation rates.

Jim Karras, Pulte Homes, (16767 North Perimeter Drive, Scottsdale, Arizona), thanked Chief Costello and firefighters for service provided during a recent fire; discussed landscape water rates and their impact on communities, Homeowners Associations, and future development.

Robert Bitteker, Pulte Homes, (16767 North Perimeter Drive, Scottsdale, Arizona), discussed potential adverse effects of increased landscape water rates.

Thomas Campanella (21755 West Mohave Street) presented concerns related to increased water meter fees and water rates.

Ron Noble, Buckeye Main Street Coalition, invited staff and residents to the Glow on Monroe parade scheduled for December 13, 2014.

2B. Awards/Presentations/Proclamations

Mayor Meck presented an award to David Reynolds in appreciation for his dedicated service as Chairman of the Airport Advisory Board.

3. Minutes

A motion was made by Vice Mayor Orsborn and seconded by Councilmember Strauss to approve the minutes of the October 21, 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. Councilmember Heustis requested Items *5C and *5D be pulled for discussion. A motion was made by Vice Mayor Orsborn and seconded by Councilmember Strauss to approve Consent Items *5A, *5B, *5E, *5F, *5G and *5H. Motion passed unanimously.

***5. New Business**

- *5A. Resolution No. 82-14 Approving the Intergovernmental Agreement between Buckeye Elementary School District No. 33, a Political Subdivision of the State of Arizona, and the City of Buckeye, an Arizona Municipal Corporation, for the Reimbursement of Roadway and Sewer Improvements; Authorizing the Mayor or City Manager to Execute and Deliver Said Agreement
Staff Liaison: Scott Zipprich, City Engineer
District No. 3**

Council adopted Resolution No. 82-14 approving the Intergovernmental Agreement between Buckeye Elementary School District No. 33, a political subdivision of the State of Arizona, and the City of Buckeye, an Arizona Municipal Corporation, for the reimbursement of roadway and sewer improvements; authorizing the Mayor or City Manager to execute and deliver said Agreement.

- *5B. Resolution No. 119-14 Confirming and Approving Solid Waste Fees Pursuant to City Code and the City's Contract With Allied Waste Transportation, Inc. dba Republic Services of Phoenix; Providing for Repeal of Conflicting Fees
Staff Liaison: John Minear, Solid Waste/Air Quality Manager
District No. All**

Council adopted Resolution No. 119-14 confirming and approving solid waste fees pursuant to City Code and the City's contract with Allied Waste Transportation, Inc., dba Republic Services of Phoenix; providing for repeal of conflicting fees.

- *5C. Resolution No. 120-14 Approving the Agreement between the City of Buckeye and Liberty Utilities (Litchfield Park Water and Sewer) Corporation to Sell and Assign Long-Term Storage Credits to the City; Authorizing the City Manager or Designee to Execute and Deliver Said Agreement on Behalf of the City**
Staff Liaison: Dave Nigh, Water Resources Director
District No. All

Councilmember Heustis requested this item be pulled for discussion. Mr. Nigh provided clarification regarding the purchase of long-term storage credits (LTSCs). If the City receives a Designation of Assured Water Supply in 2015 and does not purchase LTSCs before December 31, 2015, the City will have to pay the Central Arizona Groundwater Replenishment District (CAGR) \$644 per acre-foot for the groundwater pumped, instead of the \$175 per acre-foot that the City would have paid for the LTSCs. The purchase of LTSCs from Liberty Utilities will save the City \$469 per acre-foot, with a total savings of \$328,300. The purchase of LTSCs is an ongoing investment due their constant increase in value. A motion was made by Councilmember Heustis and seconded by Councilmember Hess to adopt Resolution No. 120-14 approving the agreement between the City of Buckeye and Liberty Utilities (Litchfield Park Water and Sewer) Corporation to sell and assign long-term storage credits to the City; authorizing the City Manager or designee to execute and deliver said Agreement on behalf of the City. Motion passed unanimously.

- *5D. Arroyo Seco Well Site Final Plat Approval**
Staff Liaison: Adam Copeland, Senior Planner
District No. 6

Councilmember Heustis requested this item be pulled for discussion. Mr. Copeland provided clarification related to the location of the well site; the applicant is proposing a final plat to establish a property that can accommodate a necessary well site. The plat will enable the applicant to develop the community and submit for a well site plan before moving forward. A motion was made by Councilmember Heustis and seconded by Councilmember Hess to approve a Final Plat to establish a property for a well site on approximately half an acre (Arroyo Seco) generally located at the southeast corner of Vista De Montana Parkway (191st Avenue and Van Buren Street). Motion passed unanimously.

- *5E. Council Ratification of a Special Event Liquor License for the Art of Movement / Kid's Triathlon (Vanguard Involved Parent Support Team) in the Buckeye Community of Verrado**
Staff Liaison: Lucinda Aja, City Clerk
District No. 6

Council ratified the Special Event Liquor License for the Art of Movement / Kid's Triathlon event held on Saturday, November 15, 2014 at 4239 North Village Street, Buckeye in the community of Verrado. Request by Karl L. Bright on behalf of the Vanguard Involved Parent Support Team.

- *5F. Amendment Request to an Approved Special Event Liquor License Application (September 2, 2014 Regular Council Meeting) for Buckeye Days Wild West Show to be held at the 6th Street Plaza in Addition to the Approved Rodeo Grounds**
Staff Liaison: Lucinda Aja, City Clerk
District No. All

Council approved an Amendment to the location of an approved Special Event Liquor License for a fundraising event to be held on January 24th and January 25th 2015 by adding an additional location of the 6th Street Plaza (in addition to the rodeo grounds). Request by John H. Broadbent on behalf of the Buckeye Rotary.

***5G. Special Event Liquor License Application for the Buckeye Marathon to be held on December 13, 2014 at the Buckeye Municipal Airport**
Staff Liaison: Lucinda Aja, City Clerk
District No. All

Council approved the Special Event Liquor License Application to be held by the Buckeye Rotary at the Buckeye Marathon to be held on December 13, 2014 at the Buckeye Airport located at 3000 South Palo Verde Road in the City of Buckeye. Request by John H. Broadbent on behalf of the Buckeye Rotary.

***5H. Employee Vacation and Sick Leave Cash Out Approval**
Staff Liaison: Nancy Love, Human Resources Director
District No. All

Council approved the cash out of up to 80 hours (112 hours for certified fire personnel) of accrued, unused sick leave and up to 80 hours (112 hours for certified fire personnel) of accrued, unused vacation leave for those employees that meet the specific policy eligibility criteria and the use of contingency funds, if necessary.

6. Continued / Tabled Items – None.

7. Public Hearings / Non-Consent - New Business

7A. Public Hearing and Action Resolution No. 117-14 Establishing Increased Water Meter Fees or Charges; Establishing an Effective Date; Repealing Conflicting Resolutions
Staff Liaison: Dave Nigh, Water Resources Director
District No. All

Mayor Meck opened a public hearing at 6:38 p.m. to hear citizen input regarding Increased Water Meter Fees. Mr. Nigh provided an overview of the request to increase the water meter fee paid for a brand new meter. The request does not affect existing customers and only relates to new water meter permits pulled. Water meter fees have not increased since 2007. There being no further public comment, Mayor Meck closed the public hearing at 6:42 p.m. A motion was made by Councilmember Heustis and seconded by Councilmember Hess to adopt Resolution No. 117-14 Establishing Increased Water Meter Fees or Charges; Establishing an Effective Date; Repealing Conflicting Resolutions. Motion passed unanimously.

7B. Public Comment Session Only Existing and Future Water and Wastewater Rates
Staff Liaison: Dave Nigh, Water Resources Director
District No. All

Mayor Meck opened a public comment session at 6:43 p.m. to hear citizen input regarding existing and future water and wastewater rates. Mr. Nigh presented an overview of existing and future water and wastewater rates. General water and sewer rates, landscaping rates and flood irrigation rates were addressed. Buckeye water uses were displayed; residential customers account for the majority of water used. The City provides over 1.5 billion gallons of water per year. Landscape accounts were discussed. There are currently 452 flood irrigation customers in the historic area of the City; monthly flood irrigation rates are currently \$26.78 or \$29.97, depending on address, and the cost to the City per account is approximately \$58 per month. The proposal will increase the rate to \$35 per month, per customer, commencing January 2015, with further increases in 2016 and 2017. The water rate history was presented; residents paid an average monthly rate of \$30.25 in 1987 and currently pay \$44.48. City of Buckeye rates are less than the consumer price index. Revenue requirements were provided as well as clarification regarding rates previously approved by Council. Buckeye falls below the State average for water rates. Council would like further information related to water rates and operational costs. Mr. Nigh clarified the Water Resources Department operates on its own separate fund and does not use the general fund to subsidize costs. The goal is to become independent of the CAGR, and to become designated and self-sustaining. Mr. Nigh stated that if the City had a recharge facility and met specific criteria, the City would no longer be required to pay to the CAGR. Buckeye operates with 26 wells; water rates have not

been substantially increased since 1987. There is currently no money set aside for improvements or contingencies. Council has had several discussions regarding water rates and has sought extensive amounts of information to help with decisions that are in the best interests of the City and its residents. Bob Speirs, Stardust Companies, (6730 North Scottsdale Road, #230, Scottsdale, Arizona), presented concerns related to increasing water rates. Garth Oldham (30345 West Catalina Drive) expressed concerns regarding water rates and potential increases. Jim Karras, Pulte Homes, (16767 North Perimeter Drive, Scottsdale, Arizona), discussed landscape water rates and their impact on communities, Homeowners Associations, and future development. There being no further public comment, Mayor Meck closed the public comment session at 7:19 p.m.

**7C. Public Hearing and Action Ordinance No. 14-14 Amending Article 8 of the City of Buckeye Development Code (DCA14-02) to Allow Notice for Text Amendments to the Development Code in Conformity With State Statutory Requirements
Staff Liaison: Ed Boik, Senior Planner
District No. All**

Mayor Meck opened a public hearing at 7:20 p.m. to hear citizen input regarding Notification for Development Code Amendments. Mr. Boik presented an overview of the request to amend Article 8 of the City of Buckeye Development Code and discussed current notification procedures. This amendment will align public notification requirements as defined by State statutes. There being no further public comment, Mayor Meck closed the public hearing at 7:23 p.m. A motion was made by Vice Mayor Orsborn and seconded by Councilmember Hess to adopt Ordinance No. 14-14 amending Article 8 of the City of Buckeye Development Code (DCA14-02) to allow notice for text amendments to the Development Code in conformity with State statutory requirements. Motion passed unanimously.

**7D. Public Hearing and Action Amendment Application for the Series 9 (Liquor Store – All Spirituous Liquor) Liquor Store License (No. 09070666) for Bashas’ No. 56 located at 21064 West Main Street in Buckeye, Community of Verrado
Staff Liaison: Lucinda Aja, City Clerk
District No. 6**

Mayor Meck opened a public hearing at 7:24 p.m. to hear citizen input regarding the Amendment Application for the Series 9 (Liquor Store – All Spirituous Liquor) Liquor License (No. 09070666) for Bashas’ No. 56 located at 21064 West Main Street in the City of Buckeye, Community of Verrado. Ms. Aja presented an overview of the request to amend the existing liquor license and clarified the request is due to the naming of Michael Joseph Basha as new Corporate Officer for Bashas’. There being no further public comment, Mayor Meck closed the public hearing at 7:25 p.m. A motion was made by Councilmember Heustis and seconded by Councilmember Hess to approve the Amendment Application for the Series 9 (Liquor Store – All Spirituous Liquor) Liquor License (No. 09070666) for Bashas’ No. 56 located at 21064 West Main Street in the City of Buckeye, Community of Verrado. Motion passed unanimously.

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

9. Comments from the Mayor and Council

Councilmember Garza: no comment.

Councilmember Strauss: discussed the recent conference attended by Council in Austin, Texas and the information received; attended and served on the Military Communities Committee and addressed the challenges faced by those communities.

Councilmember Hess: thanked the Fire Department for working with the community to provide 400 families with a Thanksgiving meal; reminded residents about the upcoming Buckeye Marathon and Glow on Monroe parade scheduled for December 13, 2014.

Councilmember McAchran: no comment.

Councilmember Heustis: provided an update related to the conference held in Austin, Texas; Sundance Men's Golf Club, All Faith, and volunteers are participating in the Race for the Food fundraiser.

Vice Mayor Orsborn: CDAC is preparing the five year plan amendment; encouraged residents to provide feedback related to CDBG; provided an update to WESTMARC board; discussed conference recently attended by Council.

Mayor Meck: discussed efforts utilized to bring industrial commercial development to the City, including information sent to Canadian Developers.

10. Adjournment

A motion was made by Councilmember Heustis and seconded by Councilmember Strauss to adjourn the meeting at 7:38 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 2nd day of December, 2014. I further certify that a quorum was present.

Lucinda J. Aja, City Clerk