



**CITY OF BUCKEYE
REGULAR COUNCIL MEETING AND EXECUTIVE SESSION
APRIL 19, 2016
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. Linda Gross of SEAM International led the invocation. Vice Mayor Hess led the Pledge of Allegiance.

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

Members Absent: None.

Departments Present: City Manager Stephen Cleveland, Assistant City Manager Roger Klingler, City Attorney Shiela Schmidt, Deputy City Clerk Summer Stewart, Records Administrator Lizbeth Camacho, Assistant to Council Carol Conley, Police Chief Larry Hall, Fire Chief Bob Costello, Finance Director Larry Price, Public Works Director Scott Lowe, Economic Development Director Len Becker, Development Services Director George Flores, Information Technology Director Greg Platacz, Community Services Director Cheryl Sedig, Human Resources Director Nancy Love, and Water Resources Director Dave Nigh.

2A. Comments from the Public – None.

2B. Awards/Presentations/Proclamations

Mayor Meck proclaimed April 21, 2016 as “PowerTalk 21 Day”.

Mayor Meck proclaimed April 22, 2016 as “Arbor Day”.

3. Minutes

A motion was made by Councilmember McAchran and seconded by Councilmember Heustis to approve the minutes of the March 15, 2016 Joint Council and Planning and Zoning Commission Workshop, March 15, 2016 Council Workshop, and March 15, 2016 Regular Council Meeting. Motion passed unanimously.

4. Expenditures

A motion was made by Councilmember Orsborn and seconded by Vice Mayor Hess 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. Vice Mayor Hess requested Item *5D. be pulled for discussion. A motion was made by Vice Mayor Hess and seconded by Councilmember Orsborn to approve Consent Items *5A., *5B., *5C., *5E., *5F., *5G., and *5H. Motion passed unanimously.

*5. New Business

- *5A. Council to take action on Resolution No. 21-16 authorizing the submission of an Application for Land for Recreation or Public Purposes to the United States Department of the Interior, Bureau of Land Management, relating to the expansion of recreational areas and the construction of trails to connect the Skyline Regional Park and Verrado DMB; authorizing the Mayor to execute and deliver said application to the United States Department of Interior, Bureau of Land Management, and authorizing all actions necessary to implement and complete the activities outlined in said application.**

Staff Liaison: Robert Wisener, Conservation Manager

Council adopted Resolution No. 21-16 authorizing the submission of an Application for Land for Recreation or Public Purposes to the United States Department of the Interior, Bureau of Land Management, relating to the expansion of recreational areas and the construction of trails to connect the Skyline Regional Park and Verrado DMB; authorizing the Mayor to execute and deliver said application to the United States Department of Interior, Bureau of Land Management, and authorizing all actions necessary to implement and complete the activities outlined in said application.

- *5B. Council to take action on the request to approve a Map of Dedication (PLZ-16-00023) for a portion of Park Street located south of Indian School Road between Sunrise Lane and Acacia Way and within the Verrado Master Planned Community.**

Staff Liaison: Sean Banda, Planner II

Council approved a Map of Dedication (PLZ-16-00023) for a portion of Park Street located south of Indian School Road between Sunrise Lane and Acacia Way and within the Verrado Master Planned Community.

- *5C. Council to take action on the request to approve a Final Plat for Painted Desert Montessori School generally located on the northwest corner of Lower Buckeye Road and 247th Avenue.**

Staff Liaison: Adam Copeland, Senior Planner

Council approved a Final Plat for Painted Desert Montessori School generally located on the northwest corner of Lower Buckeye Road and 247th Avenue.

- *5D. Council to take action on the request to approve a Final Plat for The Village on Broadway located on the northwest corner of Broadway and Miller Roads.**

Staff Liaison: Andrea Marquez, Planner II

Vice Mayor Hess requested this item be pulled for discussion. Ms. Marquez provided information regarding the additional stipulation, as requested by the Engineering Department, which states that streetlight plans and the associated financial assurance is required prior to the issuance of the next construction permit. The applicant is in concurrence with the additional stipulation. A motion was made by Vice Mayor Hess and seconded by Councilmember Orsborn to approve a Final Plat for The Village on Broadway located on the northwest corner of Broadway and Miller Roads, to include the additional stipulation that streetlight plans and the associated financial assurance is required prior to the issuance of the next construction permit. Motion passed unanimously.

- *5E. Council to take action on the Stipulated Settlement Agreement and Release between Roosevelt Irrigation District, a political subdivision of the State of Arizona, and the City of Buckeye, an Arizona municipal corporation, and approve the use of, if necessary, of General Fund Contingency Funds.**

Staff Liaison: Stephen S. Cleveland, City Manager

Council approved the Stipulated Settlement Agreement and Release between Roosevelt Irrigation District, a political subdivision of the State of Arizona, and the City of Buckeye, an Arizona municipal corporation, and approve the use of, if necessary, of General Fund Contingency Funds.

- *5F. Council to take action on the appointment of Natalie Abeyta as a Regular Member of the Community Services Advisory Board, with a term expiration date of December, 2018, and the removal of Jessie Lee as a Regular Member of the Airport Advisory Board.**

Staff Liaison: Lucinda Aja, City Clerk

Council approved the appointment of Natalie Abeyta as a Regular Member of the Community Services Advisory Board, with a term expiration date of December, 2018, and the removal of Jessie Lee as a Regular Member of the Airport Advisory Board.

- *5G. Council to take action on the Special Event Liquor License application for the Buckeye Elementary School District Education Foundation (BES Foundation) Dinner to be held on Saturday, April 30, 2016 from 5:00 to 11:00 p.m. at the 6th Street Plaza.**

Staff Liaison: Lucinda Aja, City Clerk

Council approved the Special Event Liquor License application for the Buckeye Elementary School District Education Foundation (BES Foundation) Dinner to be held on Saturday, April 30, 2016 from 5:00 to 11:00 p.m. at the 6th Street Plaza.

- *5H. Council to take action on the Special Event Liquor License application for fundraising at the Demolition Derby to be held on Saturday, May 7, 2016 from 5:00 to 10:00 p.m. at the Helzapoppin Rodeo Arena.**

Staff Liaison: Lucinda Aja, City Clerk

Council approved the Special Event Liquor License application for fundraising at the Demolition Derby to be held on Saturday, May 7, 2016 from 5:00 to 10:00 p.m. at the Helzapoppin Rodeo Arena.

6. Continued / Tabled Items – None.

7. Public Hearings / Non-Consent - New Business

- 7A. Council will hold a Public Hearing regarding the Slash T Farms annexation.**

Staff Liaison: Andrea Marquez, Planner II

Mayor Meck opened a Public Hearing at 6:00 p.m. to hear citizen input regarding the Slash T Farms annexation. Ms. Marquez provided an overview of the Slash T Farms annexation. The property is currently unincorporated. An aerial map of the property was displayed. The intent of the annexation is to obtain jurisdictional control of the property. The annexation will increase the City's corporate limits by approximately 14.03 acres. There is no known opposition to the project. Ms. Marquez stated the Planning and Zoning Commission recommends approval; final public hearing and approval is scheduled for May 3, 2016. Councilmember Heustis questioned whether or not there were buildings or structures on the property. Ms. Marquez stated the property is currently vacant. There being no further comment, Mayor Meck closed the Public Hearing at 6:15 p.m.

7B. Council will hold a Public Hearing regarding the Cemex Sand and Gravel Quarry annexation.

Staff Liaison: Adam Copeland, Senior Planner

Mayor Meck opened the Public Hearing at 6:15 p.m. to hear citizen input regarding the Cemex Sand and Gravel Quarry annexation. Mr. Copeland provided an overview of the annexation of the former Cemex Sand and Gravel Quarry. Maps depicting the location were displayed. The subject property was sold to allow for potential development opportunities for the City. The Planning and Zoning Commission recommends approval; final public hearing and approval is scheduled for May 3, 2016. The annexation is in conformance with State Statute and the Development Code and there are no outstanding issues reported by reviewing departments. Mr. Copeland clarified, at the request of Councilmember Heustis, an aerial map will be provided along with the supporting documentation for all future projects. There being no further comment, Mayor Meck closed the Public Hearing at 6:18 p.m.

7C. Council will hold a Public Hearing and take action on the request for a Series-4 Wholesaler Liquor License Application (No. 04077094) for the Hensley Beverage Company located at 26815 Baseline Road in Buckeye.

Staff Liaison: Lucinda Aja, City Clerk

Mayor Meck opened a Public Hearing at 6:18 p.m. to hear citizen input regarding the request for a Series-4 Wholesaler Liquor License Application (No. 04077094) for the Hensley Beverage Company located at 26815 Baseline Road in Buckeye. Ms. Aja provided an overview of the request for a new Series 4 Wholesaler Liquor License Application. Doug Yonko, Vice President of Communications with Hensley Beverage Company, was present and available for questions; stated his excitement to be a part of the community of Buckeye. Councilmember McAchrn stated Golden Eagle Distributors was a great community organization and hopes to continue a positive relationship with Hensley Beverage Company. There being no further comment, Mayor Meck closed the Public Hearing at 6:22 p.m. A motion was made by Councilmember Orsborn and seconded by Councilmember Heustis to approve the Series-4 Wholesaler Liquor License Application (No. 04077094) for the Hensley Beverage Company located at 26815 Baseline Road in Buckeye. Motion passed unanimously.

7D. Council will take action on a Replat of Parcel 4.807 (PLZ-15-00092) located at the northwest corner of Thomas Road and Acacia Way within the Verrado Master Planned Community.

Staff Liaison: Sean Banda, Planner II

Ms. Hogan provided an overview of the replat of Verrado Parcel 4.807. Ms. Hogan stated the replat was formerly approved administratively, however a portion of the replat conflicts with the Fire Code and must be heard by Council. Maps depicting the property were displayed; the parcel is located east of Verrado Way and north of Thomas Road on an 11.5 acre parcel. A background of the request was provided; the original final plat was approved by Council in 2005 for 87 lots; an amended replat was requested to add use and ease benefits on June 30, 2005; on December 15, 2015 the replat was administratively approved by staff. A note had been revised on the plat on final submittal that excluded certain exterior lots from the Fire Code sprinkler requirement; staff was unaware of the note and it was not reflected in the formal request. Staff became aware of the exclusion during an inspection of the lots. After discussion and review, staff determined the note excluding the lots from the sprinkler requirement was not valid as it had not been approved by Council. The applicant has requested the replat be approved as is, to include the fire sprinkler exception. Staff is recommending approval of the replat *without* the fire sprinkler exception. Ms. Hogan noted the plat is in full conformance with the Community Master Plan and the Development Code; the exception is the only outstanding issue.

Chief Costello provided a brief history and background of the project. The Final Plat approved in July, 2005 included the added stipulation that all dwelling units within this parcel will be required to have individual automatic sprinkler systems for fire protection. The Fire Department received a request from the applicant to exclude certain lots from the fire sprinkler requirement and the Fire Department informed

the applicant the request would need to be approved by Council. The exclusion was added at the time use and benefit easements were approved by staff. The adopted city sprinkler ordinance was reviewed. Chief Costello presented Fire Department concerns with excluding these lots from the fire sprinkler requirement. Concerns include fire spreading from building to building, added time to access interior of the home, added difficulty extending hose lines, and side yards filled with normal yard items. Sprinkler system benefits include a reduction in losses of up to 90%, increase in re-occupancy, increased fire control, and the addition of critical time for rescue. Staff recommends retaining the requirement that all homes in this parcel be equipped with an automatic sprinkler system.

Applicant Todd Tucker with Pinnacle West Homes stated similar parcels were purchased by Pinnacle West Homes approximately two years ago. The applicant reviewed the plat and developed a product that includes a use and benefit easement allowing use of the side yards of the lots. Conversations were held with staff regarding the requirement that particular lots be equipped with a sprinkler system. When this particular parcel was purchased, the applicant noted that all lots were required to be built with the sprinkler system. Further interaction took place with Fire Department staff and, based on that interaction, the applicant moved forward with the replat process. Mr. Tucker stated building permits have been issued that do not require fire sprinklers and there are currently eight homes under construction that do not have fire sprinklers, five of which have customers that will be moving in within thirty days. The applicant was surprised when the question regarding the fire sprinkler requirement was raised. The applicant requests the replat be approved as is, to include the fire sprinkler exception.

General discussion was held regarding the cost of installing fire sprinklers and concerns raised by the Fire Department with homes that are in close proximity that do not have automatic fire sprinklers.

A motion was made by Councilmember McAchran and seconded by Councilmember Heustis to approve a Replat of Parcel 4.807 (PLZ-15-00092) located at the northwest corner of Thomas Road and Acacia Way within the Verrado Master Planned Community, to include the stipulation that all dwelling units constructed within Verrado Parcel 4.807 will be required to have individual automatic sprinkler systems for fire protection. Mr. Ruby clarified the motion deletes the fire sprinkler exclusion that is reflected on the current recorded plat. Motion passed unanimously.

8. City Manager's Report and Government Relations

Mr. Lowe stated notice has been received from the Department of Motor Vehicles (MVD) that they anticipate moving out of Buckeye and have requested their lease be amended; a request for action will be brought before council at a future date.

Mr. Klingler recognized and commended Chief Hall for his actions and arrest of a suspect in a recent sexual assault case.

9. Comments from the Mayor and Council

Councilmember Garza: no comment.

Councilmember Strauss: discussed his experience during the April 19, 1995 Oklahoma City bombing and commended emergency response services for their efforts and sacrifice.

Councilmember Orsborn: no comment.

Councilmember McAchran: congratulated Chief Hall and thanked him for his service.

Councilmember Heustis: commended Chief Hall; discussed the water drive that will be held by All Faith Community Services and requested donations of water bottles.

Vice Mayor Hess: recognized Natalie Abeyta for her appointment to the Community Services Advisory Board and thanked her for her willingness to serve her community.

Mayor Meck: thanked Chief Hall and expressed appreciation for his service.

10. Executive Session

- a) A motion was made at 7:00 p.m. by Councilmember Orsborn and seconded by Councilmember Heustis to convene into Executive Session pursuant to:
 - i. A.R.S. Section 38-431. 03.A.3 to receive legal advice relating to the possible purchase of real property pursuant to the Hopeville Option Agreement; and,
 - ii. A.R.S. 38-431.03 A.7 to consult and instruct city representatives regarding the possible purchase of real property pursuant to the Hopeville Option Agreement. Motion passed unanimously.

- b) A motion was made at 7:20 p.m. by Councilmember Orsborn and seconded by Vice Mayor Hess to reconvene into Public Meeting. Motion passed unanimously.

11. Council will make a motion to adjourn the meeting.

A motion was made by Councilmember Orsborn and seconded by Vice Mayor Hess to adjourn the meeting at 7:20 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 and Executive Session held on the 19th day of April, 2016. I further certify that a quorum was present.

Lucinda J. Aja, City Clerk