

CITY COUNCIL REGULAR MEETING MINUTES

OCTOBER 24, 2006

CALL TO ORDER

Mayor Gámez called the meeting to order at 7:00 PM.

INVOCATION/PLEDGE OF ALLEGIANCE

City Attorney Scott W. Ruby gave the Invocation and Council Member Solorio Tovar led the Pledge of Allegiance.

ROLL CALL

Present: Mayor Gámez, Vice Mayor Espinoza, Council Members: Farr, Gem, Rodriguez and Solorio Tovar

Absent: Council Member Laborin

Also Present: City Manager Reyes Medrano Jr., Assistant City Manager John Paul Lopez, Mario Rochin Chief Building Official, City Attorney Scott W. Ruby, and Chris Hagen City Clerk

Department Heads: Steve Baumgardt Finance Director, Mark Berrelez Utilities Director, Chuck Brown, IT Director, Jason Earp Public Works Director, George Good Fire Chief, Wendy Jackson Human Resources Director, Joy McClain, Community Services Director, and Diana Quezada Magistrate

Absent: Steve Baumgardt Finance Director, Mark Berrelez Utilities Director, Diana Quezada Magistrate and Building Director Mario Rochin

FINAL CALL TO SUBMIT SPEAKER REQUEST FORMS

At this time, Mayor Gámez announced that all interested parties wishing to speak before Council should complete and submit a "Speaker Request Form."

- 1. Alfredo Gámez of Arizona Desert Elementary gave a brief overview of the upcoming November 7, 2006 Bond Election and the importance of this bond election for school improvements including classroom renovations**

Mr. Gámez extended his congratulations to the City Manager and Assistant City Manager on doing a great job managing the City.

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- 2. Evan Eslinger, 345 East Palm Lane, Phoenix, Arizona 85004 re: The Arizona Education Association. Introduced his organization and how they want to support our schools and the challenges that come with the population growth everyone is experiencing in the West Valley.**

CALL TO THE PUBLIC (NON-AGENDA ITEMS)

SCHEDULED PUBLIC APPEARANCES

1. Officer Obed Gaytan – G.A.I.N. Activities Update.

Officer Gaytan gave an overview of the three neighborhoods hosting G.A.I.N. activities between October 28 to October 31.

2. Teen Council -- Presentation of Awareness Campaign

Teen Council presented the ‘Teen Awareness Campaign’ including a power point presentation that depicted the statistics of the project survey identifying drugs and teen pregnancy as the two most challenging issues for the teen population.

They presented their two bilingual billboards that will be displayed on Van Buren. Project partners are: Robert W. Becker, Tolleson Fire Department, Fastsigns and Ramos Valenzuela Graphic Design & Advertising.

BUSINESS FROM THE FLOOR

1. Public Hearing – A Use Permit as submitted by Donovan Roth, d.b.a. Mast-Roth Farms, 8701 West McDowell Road, Tolleson, Arizona 85353 for sale Christmas trees.

Public Hearing opened at 7:31 PM and closed at 7:33 PM.

Jerry Roth was present. Mast-Roth has been at the K-Mart parking lot for several years. They keep an RV on the property for housing and security and fence their portion of the lot.

2. Public Hearing -- Lloyd Earl Banning, Jr. d.b.a. Duners Pizza, 9897 West McDowell Road, Tolleson, Arizona 85353, License # 12076805, Class 12 for a beer and wine liquor license. (To date no comments have been received for or against this license.)

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Public Hearing opened at 7:33 PM and closed at 7:35 PM.

Ed Banning was present for the public hearing. This would be their 2nd establishment—original Duners is in Laveen. Family business—Ed grew up attending TUHS and would like to be a part of the community. They will have delivery and the hours are 9:00 AM to 9:00 PM during the week. From Thursday to Saturday they will stay open until 11:00 PM.

3. Public Hearing – Site Plan Review for McShane Corporation, a new distribution campus consisting of front office and warehouse space at 86th Avenue and Buckeye Road.

Public Hearing opened at 7:35 PM and closed at 7:42 PM.

The 86th Avenue Industrial Park will consist of approximately one million square feet over four buildings. This parcel is 66 acres.

Building 1 will be a multi-tenant building with offices and rear-loading distribution facility(s) consisting of approximately 164,000 square feet. Building 2 will be 203,000 square feet with offices, multi-tenant as well with front-loading distribution facility(s). Building three will be a mirror image of Building 2. Building 1 faces Buckeye Road with 2 and 3 directly behind it.

Building 4 is approximately 500,000 square feet with a multi-tenant footprint with offices and cross-dock distribution facility(s).

4. Public Hearing – Ordinance No. 447 N.S., Amending the Tolleson City Code, Chapter 8, Business, Relating to License Fees for Massage Parlors and Licensed Massage Therapists.

Public Hearing opened at 7:42 PM and closed at 7:43 PM.

The updated Ordinance was presented and reviewed by Mayor and Council. Sylvia Castro Gonzales of 9110 West Van Buren expressed her gratitude in this Ordinance being updated so she can begin her massage therapist business.

5. Public Hearing – Final Site Plan Approval for Quiktrip Corporation as submitted by Troy Devos, 1116 East Broadway Road, Tempe, Arizona 85282 for a new convenience store with gasoline fuel dispensers located at 297 North 99th Avenue, Tolleson, Arizona 85353.

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Public Hearing opened at 7:43 PM and closed at 7:53 PM.

Discuss took place in regards to in regards to ‘stipulations’ being presented and the need for a traffic analysis. The need for the traffic analysis is a result of a meeting with ADOT—traffic study should be completed in the next coming week.

City Engineer added the stipulation of a traffic study the day before the Council Meeting to ensure the City’s best interests. There were several concerns in regards to the “left in” from 99th Avenue and its safety in regards to the volume of truck traffic. The analysis will determine whether a “pork chop” would need to be installed.

CONSENT AGENDA – ACTION ITEMS

- *a. Approve Minutes: Regular Meeting Minutes of October 10, 2006.
- *b. Approve Claims and Bills (claims and bills submitted for approval are all claims and bills incurred no later than 24 hours prior to the council meeting) and may be reviewed at City Hall during regular business hours.
- *c. Approve Intergovernmental Agreement Regarding Joint Services and Use of District Facilities for Fiscal Year 2006-2007 between the City of Tolleson and Tolleson Union High School District No. 214.

Motion made to approve by Council Member Solorio Tovar and 2nd by Council Member Rodriguez. Motion carried 6-0.

REGULAR AGENDA – ACTION ITEMS PROPOSED TO BE HEARD

1. Discuss and appoint an official representative to the Tolleson Green Foundation Board of Directors.

Motion made to table by Vice Mayor Espinoza and 2nd by Council Member Rodriguez. Motion carried 6-0.

2. Approve/Deny A Use Permit as submitted by Donovan Roth, d.b.a. Mast-Roth Farms, 8701 West McDowell Road, Tolleson, Arizona 85353 for sale of Christmas trees.

Motion made to approve by Council Member Rodriguez and 2nd by Council Member Gem. Motion carried 6-0.

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3. Approve/Deny Liquor License for Lloyd Earl Banning, Jr. d.b.a. Duners Pizza, 9897 West McDowell Road, Tolleson, Arizona 85353, License # 12076805, Class 12 for beer and wine.

Motion made to approve by Council Member Rodriguez and 2nd by Council Member Farr. Motion carried 6-0.

4. Approve/Deny Resolution No. 994. A Resolution of the Mayor and City Council of the City of Tolleson, Arizona Granting an Irrigation Easement to the Salt River Project Agricultural Improvement and Power District.

Motion made to approve by Council Member Farr and 2nd by Council Member Gem. Motion carried 6-0.

5. Approve/Deny Resolutions No. 995 and 995-S. Resolution(s) of the Mayor and Council of the City of Tolleson, Maricopa County, Arizona, providing Notice of the Regular Primary Election for March 13, 2007 and, if necessary, the General Election on May 15, 2007.

Motion made to approve by Vice Mayor Espinoza and 2nd by Council Member Rodriguez. Motion carried 6-0.

6. Approve/Deny Final Site Plan Review for McShane Corporation industrial park at 86th Avenue and Buckeye Road with stipulations per City Engineer.

Motion made to approve by Council Member Gem and 2nd by Council Member Farr. Motion carried 5-1.

7. Approve/Deny Teen Council Awareness Campaign.

Motion made to approve by Council Member Rodriguez and 2nd by Vice Mayor Espinoza. Motion carried 6-0. Mayor and Council once again thanked Teen Council for their outstanding work and for serving as a model to other organizations.

8. Approve/Deny Ordinance No. 447 N.S., An Ordinance of the City Council of Tolleson, Maricopa County, Amending the Tolleson City Code Chapter 8, Business Relating to License Fees for Massage Parlors and Licensed Massage Therapists.

Motion made to approve by Council Member Farr and 2nd by Council Member Solorio Tovar. Motion carried 6-0.

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9. Approve/Deny Final Site Plan Approval for Quiktrip Corporation as submitted by Troy Devos, 1116 East Broadway Road, Tempe, Arizona 85282 for a new convenience store with gasoline fuel dispensers located at 297 North 99th Avenue, Tolleson, Arizona 85353.

Motion made to table by Council Member Rodriguez and 2nd by Vice Mayor Espinoza. Motion carried 6-0.

CITY MANAGER'S REPORT OF CURRENT EVENTS

Pride Day Rock 'N Roll Paint A Thon (Saturday, October 28)

Baja Night (November 3 at 5:00 PM at PH Gonzales Elementary School)

Salvation Army Bell Ringing (November 24 – December 22 open hours at various locations)

CAP Christmas Gift Program(s) (October 24 – November 8)

HUD Monitoring of the HOME and Housing Trust Fund Repair Programs Update

Speed Humps Update

General Obligation Bond Proceeds Update

City Manager Reyes Medrano, Jr. reminded Mayor and Council of the activities highlighted above. He also announced that the Foundation for Senior Living is doing an outstanding job for the City and just had the “cleanest” audit in our history.

The speed hump project will start in January with approximately 60 speed humps being installed. Jason Earp is managing the project with the City Engineer Paul Gilmore. Depending on funding additional speed humps may be installed if funding is available.

All is going well with the GO Bond sale—it is time to advertise on State contract for the new Police Department building—RFQ will be published.

Council Member Farr acknowledged the good morale and job that is being done by the Police Department.

The Code Enforcement Officer (new hire) is going through the background check before a final offer is extended.

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ADJOURNMENT

**Motion made to adjourn at 8:14 PM by Council Member Rodriguez and 2nd
by Council Member Farr. Motion carried 6-0.**

APPROVED:

ADOLFO F. GÁMEZ, MAYOR

ATTEST:

CHRIS HAGEN, CITY CLERK

CERTIFICATION

I HEREBY CERTIFY THAT THE FOREGOING MINUTES ARE A TRUE
AND CORRECT COPY OF THE MINUTES OF THE RESCHEDULED
COUNCIL MEETING OF THE CITY COUNCIL, TOLLESON,
ARIZONA HELD ON THE _____ of _____, 2006.
FURTHER CERTIFY THAT THE MEETING WAS DULY CALLED AND HELD
AND THAT A QUORUM WAS PRESENT.

CHRIS HAGEN, CITY CLERK