

Minutes of the Regular Meeting held October 17, 2011 at 7:00 p.m. in the Council Chambers.

MEMBERS PRESENT

Mayor Lopez Rogers and Council Members

Jim McDonald, Vice Mayor
Jim Buster
Stephanie Karlin
Frank Scott
Charles Vierhout
Ken Weise

ALSO PRESENT

Charlie McClendon, City Manager
David Fitzhugh, Assistant City Manager
Rogene Hill, Assistant City Manager
Eric Morgan, Planner II
Christopher Reams, Parks, Recreation and Libraries Department Director
Andrew McGuire, City Attorney
Carmen Martinez, City Clerk

1 ROLL CALL AND STATEMENT OF PARTICIPATION BY THE CITY CLERK

Carmen Martinez, City Clerk, read a statement of participation regarding public appearances.

2 UNSCHEDULED PUBLIC APPEARANCES

There were no requests to speak.

3 CONSENT AGENDA

Items on the consent agenda are of a routine nature or have been previously studied by the City Council at a work session. They are intended to be acted upon in one motion. Council members may pull items from consent if they would like them considered separately.

a. APPROVAL OF MINUTES

1. Work Session of October 3, 2011
2. Regular Meeting of October 3, 2011

b. DESIGNATION OF VICE MAYOR MCDONALD AS ALTERNATE VOTING DELEGATE AT NLC ANNUAL BUSINESS MEETING

Vice Mayor McDonald's request to be designated as an alternate voting delegate at the National League of Cities Annual Business Meeting to be held at the conclusion of the Congress of Cities on November 12, 2011.

c. THIRD AMENDMENT TO SOFTWARE SUPPORT SERVICES AGREEMENT – INFOR GLOBAL SOLUTIONS (MICHIGAN), INC.

A request to approve the Third Amendment to Software Support Services Agreement with Infor Global Solutions (Michigan), Inc., for Enterprise Asset Management annual technical support services in an amount not to exceed \$42,736.99 and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

d. COOPERATIVE PURCHASING AGREEMENT - SOUTHWEST UMPIRES ASSOCIATION

A request to approve a Cooperative Purchasing Agreement with Southwest Umpire Association for professional umpiring services and authorize the Mayor or the City Manager and City Clerk to execute the applicable contract documents.

e. CONSTRUCTION CONTRACT AWARD - VISUS INC. FOR THE RILEY DRIVE IMPROVEMENT PROJECT

A request to approve a construction contract with Visus Inc. to provide construction services for the Riley Drive Improvement Project in the amount of \$347,829.90 and authorize the Mayor, or City Manager and City Clerk to execute the necessary documents.

f. RESOLUTION 3006-1011 – NOTICE OF INTENT TO INCREASE WATER FEES

A resolution authorizing a notice of intent to increase water fees, setting a public hearing on the proposed increase and filing a report with the City Clerk.

g. RESOLUTION 3007-1011 - CORRECTING ERRORS IN THE TRANSIT SERVICE AGREEMENT WITH THE REGIONAL PUBLIC TRANSIT AUTHORITY

A resolution correcting errors in the schedules appended to the Transit Service Agreement with the Regional Public Transportation Authority for the operation of Avondale Circulator.

h. RESOLUTION 3009-1011 - AMENDMENT NO. ONE TO INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF ARIZONA FOR THE TRAFFIC OPERATIONS CENTER

A resolution approving Amendment No. One to the Intergovernmental Agreement with the Arizona Department of Transportation for the construction of the Traffic Operations Center and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

Vice Mayor McDonald moved to approve the consent agenda as presented included Resolutions 3006-1011, 3007-1011 and 3009-1011. Council Member Weise seconded the motion.

ROLL CALL VOTE AS FOLLOWS:

Vice Mayor McDonald	Aye
Council Member Scott	Aye
Council Member Vierhout	Aye
Mayor Rogers	Aye
Council Member Weise	Aye
Council Member Karlin	Aye
Council Member Buster	Aye

Motion carried unanimously.

4 PUBLIC HEARING – TIME EXTENSION FOR ENTORNO PAD ZONING – ALTERNATIVELY ORDINANCE 1472-1011 - ZONING REVERSION

A public hearing and consideration of a request by Mr. Ed Bull, Burch & Cracchiolo, P.A., for a one year extension of Planned Area Development (PAD) zoning for Entorno, located on approximately 160 acres of land at the southwest corner of 99th Avenue and Indian School Road. Alternatively, City Council will consider an ordinance reverting the zoning from PAD zoning to its previous zoning classification of Agricultural (AG).

City Manager Charlie McClendon introduced Eric Morgan to present this item.

Eric Morgan, Planner II reviewed the details of this item as more particularly described in the Council report. If granted the extension would extend the zoning until November 1, 2012.

Vice Mayor McDonald asked if the new land owners were behind the project or if the year extension was to evaluate other options. Mr. Morgan replied that the request would allow the applicant to evaluate options to get utilities to the site, cost and feasibility. He indicated that if approved, the applicant would need to proceed with the PAD as proposed. Vice Mayor McDonald commented that this is a very good project and even though it was approved before Council adopted the current design guidelines, the project is very close to them, but pointed out that it lacks color variations and asked if Council will have the opportunity to add color prior to development. Mr. Morgan replied that site plans are now reviewed by staff, so Council will not review or approve it.

Council Member Buster commented that it's been a while since council reviewed this project and the Tuscan theme lends itself better to neutral colors. In response from Council Member Buster, Mr. Morgan indicated that if approved tonight, the applicant will still have additional opportunities to request extensions.

In response to a question from Vice Mayor McDonald, Mr. Ed Bull, the applicant indicated that it is the property owner's intention to explore options to get utilities to the property so that when the economy improves the project is ready to go. He commented that due to the economy, he cannot make promises as to exact timing and scope of development at this point. Vice Mayor McDonald commented this is a great project, but Council would not be open to approving anything that is less than what was approved in 2007.

Council Member Vierhout commented that he is willing to approve the one year extension.

Council Member Weise asked Mr. Bull if his clients are looking at seeing project to fruition or are they looking to divest themselves of the property as the economy improves. Mr. Bull indicated that his client's priority at this point is to bring utilities to the property. Exact future development would be dictated by the economy.

Mayor Rogers opened the public hearing. There being no requests to speak, Mayor Rogers closed the public hearing.

Vice Mayor McDonald moved to extend the Entorno PAD until November 1, 2012; Council Member Weise seconded the motion.

ROLL CALL VOTE AS FOLLOWS:

Vice Mayor McDonald	Aye
Council Member Scott	Nay
Council Member Vierhout	Aye
Mayor Rogers	Aye
Council Member Weise	Aye
Council Member Karlin	Aye
Council Member Buster	Aye

Motion carried 6-1.

5 NON-EXCLUSIVE LICENSE - FARMERS MARKET SUPPORT SERVICES, LLC

A request to approve a Non-Exclusive License with the Farmers Market Support Services, LLC to hold a monthly farmer's market at Friendship Park and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

Chris Reams, Director of Parks, Recreation and Libraries reviewed the details of this item as more particularly described in the Council report.

In response to a question with Council Member Karlin, Chris Reams commented there will not be a conflict with the Litchfield Park's farmers market as they are scheduled on a different day of the weekend.

Council Member Vierhout commented he is very excited about the market. He asked how long it will take to break down. Dee Logan of FMSS indicated it only takes about 30-45 minutes. In response to a further question from Vice Mayor McDonald, Ms Logan indicated that the vendors will clean up after themselves; Chris Reams indicated that additional cleanup will be scheduled by his department due to increased use of the facilities.

Council Member Weise asked if chef classes will be offered at the Avondale market like they are in Scottsdale. Ms Logan indicated demonstrations and classes by master gardeners are being planned and will be included. She indicated that they want to teach customers how to use the abundance and variety of vegetables offered at the farmers market. Customers will also be able to use senior vouchers and WIC vouchers. A wireless station will be available to vendors so customers can use debit cards.

Carol DeCosmo commented that the plan is also to teach about the history of agriculture in the area by bringing in demonstrations.

Mayor Rogers commented she is very exciting about the market and commended all on the great collaboration that has taken place among all the parties.

Vice Mayor McDonald moved to approve the non-exclusive agreement with Farmers Market Support Services, LLC to hold the monthly farmers market at Friendship Park. Council Member Karlin seconded the motion.

ROLL CALL VOTE AS FOLLOWS:

Vice Mayor McDonald	Aye
Council Member Scott	Aye
Council Member Vierhout	Aye
Mayor Rogers	Aye
Council Member Weise	Aye
Council Member Karlin	Aye
Council Member Buster	Aye

Motion carried unanimously.

6 RESOLUTION 3008-1011 - INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF GOODYEAR - CENTENNIAL PARADE AND KICK-OFF FESTIVAL

An update on the activities planned to commemorate the Centennial and consider a resolution authorizing an Intergovernmental Agreement with the City of Goodyear to jointly host an Arizona Centennial Parade and Event and authorize the Mayor or the City Manager and City Clerk to execute the applicable contract documents.

Chris Reams, Director of Parks Recreation and Libraries reviewed details of this item as described in the council report.

Council Member Weise commented he is excited about the return of the parade and hopes to see the Billy Moore Days parade continue in the future and added that the west valley has some of the finest school bands in the state. He asked if outreach to private and charter schools will be done as well to get them involved. Mr. Reams commented they would. Council Member Weise suggested including military vehicles as well.

Vice Mayor McDonald commented on the road closures that will be necessary. Mr. Reams indicated that necessary closures will be limited as much as possible while maintaining safe conditions. Staff will make sure that local residents are made aware of planned closures ahead of time.

Mayor Rogers commented that she understands the reasons for having moved the parade from Old Town Avondale to Thomas Avenue, but pointed out that staff needs to make sure that residents are informed about the reason for the change and that the YMCA and St. Thomas Aquinas Church are informed and accommodated as much as possible.

Vice Mayor McDonald moved to adopt Resolution 3008-1011 approving an Intergovernmental Agreement with the City of Goodyear to jointly host the Arizona Centennial Parade and Event. Council Member Weise seconded the motion.

ROLL CALL VOTE AS FOLLOWS:

Vice Mayor McDonald	Aye
Council Member Scott	Aye
Council Member Vierhout	Aye
Mayor Rogers	Aye
Council Member Weise	Aye
Council Member Karlin	Aye
Council Member Buster	Aye

Motion carried unanimously.

7 EXECUTIVE SESSION

- a. An executive session pursuant to ARIZ. REV. STAT. § 38-431.03 (A)(4) for discussion or consultation with the City Attorney in order to consider its position and instruct the City Attorney regarding (i) negotiations for a potential Economic Development Agreement.

Vice Mayor McDonald moved to adjourn to executive session; Council Member Weise seconded the motion.

ROLL CALL VOTE AS FOLLOWS:

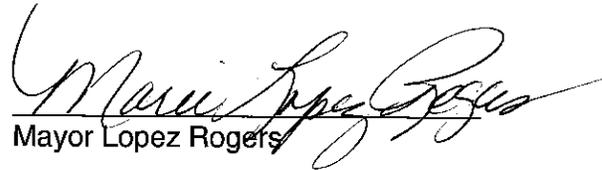
Vice Mayor McDonald	Aye
Council Member Scott	Aye
Council Member Vierhout	Aye
Mayor Rogers	Aye
Council Member Weise	Aye
Council Member Karlin	Aye
Council Member Buster	Aye

Motion carried unanimously.

8 ADJOURNMENT

There being no further business before the Council, Vice Mayor McDonald moved to adjourn the meeting; Council Member Vierhout seconded the motion.

Meeting was adjourned at 8:54 p.m.



Mayor Lopez Rogers



Carmen Martinez, CMC
City Clerk

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of the Council of the City of Avondale held on the 17th day of October 2011. I further certify that the meeting was duly called and held and that the quorum was present.



City Clerk