

Minutes of the Regular Meeting held January 17, 2012 at 7:00 p.m. in the Council Chambers.

MEMBERS PRESENT

Mayor Lopez Rogers and Council Members

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

ALSO PRESENT

Charlie McClendon, City Manager
David Fitzhugh, Assistant City Manager
Rogene Hill, Assistant City Manager
Ken Galica, Planner I
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

John Cavanaugh addressed the Council regarding a \$60.00 fee that is being charged to him for water service. He has attempted to address the issue with several staff members and has not been able to get an answer that is satisfactory to him.

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.

b. RESOLUTION 3027-112 – INTERGOVERNMENTAL AND GRANT IN KIND AGREEMENTS - ARIZONA STATE LIBRARY, ARCHIVES AND PUBLIC RECORDS FOR BTOP 2 GRANT

An Intergovernmental Agreement and Grant In Kind Agreements with the Arizona State Library, Archives and Public Records relating to the Implementation of Broadband Technology Opportunities Program Round 2 and authorize the Mayor or the City Manager and City Clerk to execute the applicable contract documents.

c. ORDINANCE 1489-112 – ACCEPTING THE DEDICATION OF A WATERLINE EASEMENT FROM AVONDALE ELEMENTARY SCHOOL DISTRICT NO. 44

A public waterline easement from Avondale Elementary School District No. 44 and authorize the Mayor or City Manager, and City Clerk to execute the necessary documents.

d. ORDINANCE 1477-112 - ACCEPTING THE DEDICATION OF A WATERLINE EASEMENT – LEISURE INDUSTRIES, INC.

An ordinance accepting a public waterline easement on the east side of Dysart Road north of Riley Drive and authorize the Mayor or City Manager, and City Clerk to execute the necessary documents.

City Manager Charlie McClendon requested that item 3a be postponed due to not having received information from the vendor on a timely basis.

Vice Mayor Karlin moved to approve the consent agenda as presented with the exception of Item 3a and including Resolution 3027-112, Ordinance 1489-112 and Ordinance 1477-112. Council Member McDonald Seconded the motion.

ROLL CALL VOTE AS FOLLOWS:

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

Motion carried unanimously.

a. COOPERATIVE PURCHASING AGREEMENT - AJP ELECTRIC, INC.

A Cooperative Purchasing Agreement with AJP Electric, Inc. to perform electrical service and construction site work in a total aggregate amount not to exceed \$300,000 and to authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

Vice Mayor Karlin moved to postpone approval of the Cooperative Purchasing Agreement with AJP Electric, Inc. indefinitely. Council Member McDonald seconded the motion.

ROLL CALL VOTE AS FOLLOWS:

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

Motion carried unanimously.

4 PUBLIC HEARING - TIME EXTENSION FOR PAPAGO COMMERCE CENTER (DBA AVONDALE COMMERCE CENTER) PAD ZONING, ALTERNATIVELY ORDINANCE 1486-112 ZONING REVERSION

A public hearing and a request by Mr. Michael Curley, Earl, Curley, and Lagarde P.C., to extend the validity of the Papago Commerce Center Planned Area Development (PAD) for one year, until October 15, 2011. Alternatively, if the PAD zoning extension is not granted, the Council may adopt an Ordinance reverting the zoning of the property back to Agricultural (AG).

Ken Galica reviewed the particulars of this item as more specifically described in the Council report. He indicated staff is recommending approval of the application subject to the following stipulations

1. Unless listed below, all standards, requirements, and stipulations of the Papago Commerce Center PAD approval from October 15, 2007 shall remain in full force and effect.
2. Site and building design shall be in conformance with the City of Avondale Design Manual for Commercial, Industrial, and Multi-Family Residential Development. Where there are conflicts between the PAD's "Design Standards" and the City's Design Manual, the standards contained within the Design Manual shall supersede.
3. Outdoor site lighting shall be in conformance with City of Avondale Zoning Ordinance Section 707, Outdoor Lighting. Where there are conflicts between the PAD's lighting language and Zoning Ordinance Section 707, the language contained within Section 707 shall supersede.
4. Public art shall be provided in accordance with the Avondale Zoning Ordinance Section 11, Public Art.

Council Member Weise asked for rationale for the changes being requested. Mr. Galica responded that since the PAD was updated since 2007, there have been changes to the zoning ordinance, these changes are incorporated into the PAD by the stipulations being proposed.

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

Vice Mayor Karlin moved to grant the time extension for the Papago Commerce Center Planned Area Development (PAD) for one year from the date of expiration, until November 15, 2012, subject to the staff recommended stipulations. Council Member Weise seconded the motion.

ROLL CALL VOTE AS FOLLOWS:

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

Motion carried unanimously.

5 PUBLIC HEARING - TIME EXTENSION FOR PHOENIX CHILDREN'S HOSPITAL PAD ZONING, ALTERNATIVELY ORDINANCE 1487-112 - ZONING REVERSION

A public hearing and a request by Mr. Dave Cottle, Phoenix Children's Hospital, to extend the validity of the Phoenix Children's Hospital Planned Area Development for one year, until November 20, 2012. Alternatively, Council will consider an Ordinance reverting the zoning of the property to previous C-1 (Neighborhood Commercial) designation.

Ken Galica reviewed the particulars of this item as more specifically described in the council report.

David Cottle, on behalf of Phoenix Children's Hospital, indicated that PCH is planning to break ground this month. He added that they are expecting to finish construction and open the facility within a year.

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

Vice Mayor Karlin moved to grant a time extension for the Phoenix Children's Hospital Planned Area Development (PAD) for one year from the date of expiration, until November 20, 2012. Council Member McDonald seconded the motion.

ROLL CALL VOTE AS FOLLOWS:

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

Motion carried unanimously.

6 PUBLIC HEARING AND ORDINANCE 1485-112 – ZONING REVERSION FOR THREE RIVERS COMMERCE PARK

A public hearing and an Ordinance reverting the Planned Area Development zoning of Three Rivers Commerce Park, which expired December 8, 2011, to its previous zoning classification of Agricultural.

Ken Galica reviewed the particulars of this item as more specifically described in the council report.

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

Vice Mayor Karlin moved to adopt Ordinance 1485-112 reverting the Planned Area Development zoning of Three Rivers Commerce Park to its previous zoning classification of Agricultural. Council Member Weise seconded the motion.

ROLL CALL VOTE AS FOLLOWS:

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

Council Member Weise

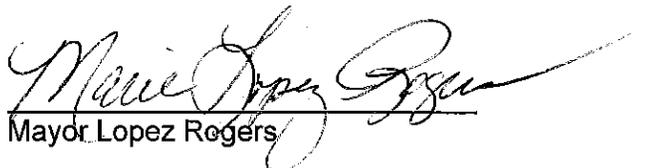
Aye

Motion carried unanimously.

7 ADJOURNMENT

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

Meeting adjourned at 7:26 p.m.



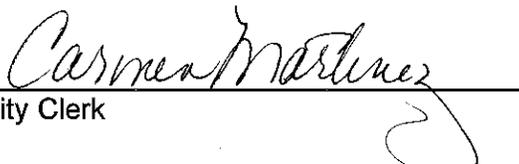
Mayor Lopez Rogers



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 January of 2012. I further certify that the meeting was duly called and held and that the quorum was present.



City Clerk