



**MINUTES OF THE  
GLENDALE CITY COUNCIL MEETING  
Council Chambers  
5850 West Glendale Avenue  
April 9, 2013  
7:00 p.m.**

The meeting was called to order by Mayor Jerry P. Weiers. Vice Mayor Yvonne J. Knaack and the following Councilmembers were present: Norma S. Alvarez, Samuel U. Chavira, Ian Hugh, Manuel D. Martinez and Gary D. Sherwood.

Also present were Richard Bowers, Acting City Manager; Horatio Skeete, Assistant City Manager; Nick DiPiazza, Acting City Attorney; and Pamela Hanna, City Clerk.

Mayor Weiers called for the Pledge of Allegiance and a moment of silence was observed.

A statement was filed by the City Clerk that the 4 resolutions to be considered at the meeting were available for public examination and the title posted at City Hall more than 72 hours in advance of the meeting.

**It was moved by Sherwood, and seconded by Martinez, to dispense with the reading of the minutes of the March 26<sup>th</sup>, 2013 Regular City Council meeting and March 27<sup>th</sup>, 2013 Special Meeting, as each member of the Council had been provided copies in advance, and approve them as written. The motion carried unanimously.**

**PROCLAMATIONS AND AWARDS**

NATIONAL LIBRARY WEEK PROCLAMATION: APRIL 14 – 20, 2013

PRESENTED BY: Office of the Mayor

ACCEPTED BY: Charlene Sharp, Library Advisory Board Chair

This is a request for City Council to proclaim April 14 through April 20 as National Library Week in the City of Glendale and present the proclamation to Library Advisory Board Chair, Charlene Sharp.

Mayor Weiers called Ms. Charlene Sharp, Chairperson of the Library Advisory Board and Ms. Cheryl Kennedy, Glendale Library Director, forward. He read the proclamation aloud and presented it to Ms. Sharp.

**CONSENT AGENDA**

Mr. Richard Bowers, Acting City Manager, read agenda item numbers 1 through 3 and Ms. Pamela Hanna, City Clerk, read consent agenda resolution item numbers 4 through 7 by number and title.

1. LIQUOR LICENSE NO. 5-9355, BUKKANA'S BAR & GRILL  
PRESENTED BY: Susan Matousek, Revenue Administrator

Councilmember Alvarez asked to hear this item separately.

2. AUTHORIZATION FOR EXPENDITURE OF FUNDS TO HILL BROTHERS CHEMICAL CO. FOR PURCHASE OF SODIUM HYPOCHLORITE  
PRESENTED BY: Craig A. Johnson, P.E., Executive Director, Water Services

This is a request for City Council to authorize the City Manager to approve the expenditure of funds in the amount of \$50,887.68 for payment to Hill Brothers Chemical Co. Sodium hypochlorite was purchased for use at the Arrowhead Ranch Water Reclamation Facility (ARWRF) during the waste water treatment process.

3. FINAL PLAT APPLICATION FP12-03: MARYLAND HEIGHTS – 6550 NORTH 79<sup>TH</sup> AVENUE  
PRESENTED BY: Jon M. Froke, AICP, Planning Director

This is a request by Hoskin-Ryan Consultants, Inc., representing DR Horton, Inc., for City Council to approve the final plat for Maryland Heights, a Planned Residential Development, located on the west side of 79<sup>th</sup> Avenue at the Maryland Avenue alignment.

Staff recommends approval of Final Plat Application FP12-03.

**It was moved by Vice Mayor Knaack, and seconded by Councilmember Chavira, to approve Consent Agenda Items 2 and 3. The motion carried unanimously.**

1. LIQUOR LICENSE NO. 5-9355, BUKKANA'S BAR & GRILL  
PRESENTED BY: Susan Matousek, Revenue Administrator

This is a request for City Council to deny a new, non-transferable series 12 (Restaurant) license for Bukkana's Bar & Grill located at 6522 North 59th Avenue. The Arizona Department of Liquor Licenses and Control application (No. 12079403) was submitted by Luz Maria Rodriguez.

Ms. Susan Matousek advised that the police department is recommending denial of this liquor license as a result of the background investigation for this application. She said the owner failed to provide financial documents regarding the purchase of the property and business requested by the police department therefore, staff recommends denying this liquor license application. She noted that no protests were received during the protest period.

Debora Black, Interim Police Chief, came forward to respond to questions regarding the police department's recommendation for denial. Councilmember Alvarez said her understanding was that the applicant did not provide a financial statement of how they bought the bar and grill. She asked if this was a standard question of anyone buying a business which included serving alcohol. She said it was her understanding that this was not a standard question. She said she did not want a lawsuit because the city was doing something different. Chief Black said they do not always ask applicants to provide specific information, but they do an investigation on every applicant which may take a different course based on the information provided. She said every applicant has to provide financial information to the state. She said during this investigation, information was provided about how the funds were secured to purchase the facility. The applicant agreed to provide documentation referencing this transaction. The documentation was never provided.

Councilmember Alvarez asked if that particular question was asked of everyone. Chief Black said there was not a standard set of questions asked of every applicant. Councilmember Alvarez said she did not understand why these documents were requested if no criminal behavior was discovered during the background investigation. She said she would like to see consistency in the investigations.

Mayor Weiers said the information was not provided on the application, and asked if there were follow up questions of the applicant made. Chief Black said the information was volunteered by the application verbally as to how the funds were acquired. After hearing the information, the Police Department asked for the documents, but they have not been provided any documents.

Councilmember Martinez asked if this had been reviewed by the attorney's office. Mr. DiPiazza said he has had conversations with the police department. He said the process is the same for every applicant; however, the questions are not the same. He said depending on the content of the application; different questions are asked of each applicant. He said verbally reasonable answers were provided, but the police department has an obligation to follow up on statements made. The police department asked if the applicant would provide documentation and they agreed. Mr. DiPiazza said it should not be difficult to get the documentation. He said the applicant then failed to provide the documentation.

Mayor Weiers asked if there was any further contact with the applicant after making the request for documents up until the time of this meeting. Chief Black said there was follow up contact with the applicant as late as last week, but the information was not provided. She said they only had 60 days to make a recommendation and April 9<sup>th</sup> was the last available date for the police department to make a recommendation. Mayor Weiers asked if the police department took no action, could the state just approve the recommendation. Chief Black said either a denial or a no action would lead to a hearing at the state level, but the denial would insure that all comments would make known to the board as their decision is made. Mayor Weiers asked if the applicant was aware of the item being heard at this meeting. Chief Black said they were. Mayor Weiers asked if the applicant was present and there was no response.

**It was moved by Vice Mayor Knaack, and seconded by Councilmember Sherwood, to forward Liquor License Application for Bukkana's Bar & Grill located at 6522 North 59th**

Avenue to the State of Arizona Department of Liquor Licenses and Control, with the recommendation for denial. Motion carried on a roll call vote, with the following Councilmembers voting “aye”: Chavira, Hugh, Knaack, Martinez, Sherwood, and Weiers. Members voting “nay”: Alvarez.

#### CONSENT RESOLUTIONS

4. INTERGOVERNMENTAL AGREEMENT WITH THE ARIZONA DEPARTMENT OF TRANSPORTATION FOR FIBER OPTIC CABLE AND CLOSED-CIRCUIT TELEVISION CAMERAS  
PRESENTED BY: Cathy Colbath, Interim Executive Director, Transportation Services  
RESOLUTION: 4659

This is a request for City Council to waive reading beyond the title and adopt a resolution authorizing the City Manager to enter into an intergovernmental agreement (IGA) with the Arizona Department of Transportation (ADOT) for the construction of Intelligent Transportation Systems (ITS) infrastructure along Cactus, Thunderbird and Greenway Roads, from 55th to 67<sup>th</sup> Avenues.

**RESOLUTION NO. 4659 NEW SERIES WAS READ BY NUMBER AND TITLE ONLY, IT BEING A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND DIRECTING THE ENTERING INTO OF AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF ARIZONA, DEPARTMENT OF TRANSPORTATION, FOR THE FIBER OPTIC CABLE AND CCTV CAMERAS PROJECT ALONG CACTUS, THUNDERBIRD AND GREENWAY ROADS.**

5. INTERGOVERNMENTAL AGREEMENT WITH THE ARIZONA DEPARTMENT OF TRANSPORTATION FOR CONSTRUCTION OF INTELLIGENT TRANSPORTATION SYSTEMS AND INSTALLATION OF DYNAMIC MESSAGE SIGNS  
PRESENTED BY: Cathy Colbath, Interim Executive Director, Transportation Services  
RESOLUTION: 4660

This is a request for City Council to waive reading beyond the title and adopt a resolution authorizing the City Manager to enter into an intergovernmental agreement (IGA) with the Arizona Department of Transportation (ADOT) for the construction of Intelligent Transportation Systems (ITS) infrastructure along Peoria Avenue, from 43<sup>rd</sup> to 67<sup>th</sup> Avenues, as well as the installation of four Dynamic Message Signs (DMS) in the downtown corridor.

**RESOLUTION NO. 4660 NEW SERIES WAS READ BY NUMBER AND TITLE ONLY, IT BEING A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND DIRECTING THE ENTERING INTO OF AN INTERGOVERNMENTAL AGREEMENT WITH THE**

**STATE OF ARIZONA, DEPARTMENT OF TRANSPORTATION, FOR THE VARIABLE MESSAGES SIGNS PROJECT ALONG 59<sup>TH</sup> AVENUE, GLENDALE AVENUE AND PEORIA AVENUE.**

6. INTERGOVERNMENTAL AGREEMENT WITH LUKE AIR FORCE BASE FOR LAW ENFORCEMENT SUPPORT

PRESENTED BY: Debora Black, Interim Police Chief  
RESOLUTION: 4661

This is a request for City Council to waive reading beyond the title and adopt a Resolution authorizing the City Manager to enter into an intergovernmental agreement (IGA) with Luke Air Force Base for law enforcement support.

**RESOLUTION NO. 4661 NEW SERIES WAS READ BY NUMBER AND TITLE ONLY, IT BEING A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND DIRECTING THE ENTERING INTO OF AN INTERGOVERNMENTAL AGREEMENT WITH LUKE AIR FORCE BASE CONCERNING LAW ENFORCEMENT SUPPORT.**

7. PROFESSIONAL SERVICE PROVIDER AGREEMENT WITH RUTGERS, THE STATE UNIVERSITY OF NEW JERSEY

PRESENTED BY: Debora Black, Interim Police Chief  
RESOLUTION: 4662

This is a request for City Council to waive reading beyond the title and adopt a Resolution authorizing the City Manager to enter into a Professional Service Provider Agreement with Rutgers, the State University of New Jersey.

**RESOLUTION NO. 4662 NEW SERIES WAS READ BY NUMBER AND TITLE ONLY, IT BEING A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND DIRECTING THE ENTERING INTO OF A PROFESSIONAL SERVICE PROVIDER AGREEMENT WITH RUTGERS, THE STATE UNIVERSITY OF NEW JERSEY FOR THE RISK TERRAIN MODELING.**

**It was moved by Councilmember Sherwood and seconded by Councilmember Martinez, to approve the recommended actions on Consent Agenda Item Nos. 4 through 7, including the approval and adoption of Resolution No. 4659 New Series, Resolution No. 4660 New Series, Resolution No. 4661 New Series, Resolution No. 4662 New Series; The motion carried unanimously.**

**BIDS AND CONTRACTS**

8. AWARD OF BID 13-39, PURCHASE OF SODIUM HYPOCHLORITE FROM DPC ENTERPRISES, INC.

PRESENTED BY: Craig A. Johnson, P.E., Executive Director, Water Services

This is a request for City Council to award the bid and authorize the City Manager to enter into a contract with DPC Enterprises, Inc. for the purchase of sodium hypochlorite in an amount not to exceed \$255,300. This purchase is for use at all Water Services facilities.

Mr. Johnson said two qualified responses were received and awarding this bid will allow the city to continue to comply with state and federal regulatory requirements.

**It was moved by Vice Mayor Knaack, and seconded by Councilmember Chavira, to award the bid and authorize the City Manager to enter into a contract with DPC Enterprises, Inc. The motion carried unanimously.**

### **REQUEST FOR FUTURE WORKSHOP AND EXECUTIVE SESSION**

**It was moved by Vice Mayor Knaack, and seconded by Councilmember Martinez, to hold a City Council Workshop at 9:00 a.m. in the City Council Chambers on Tuesday, April 16th, 2013, to be followed by an Executive Session pursuant to A.R.S. 38-431.03. The motion carried unanimously.**

### **CITIZEN COMMENTS**

Bill Demski, a Glendale resident, said Peoria Unified School District is in a severe budget crisis. He said next year the district is completely eliminating the health care coverage for their employees and eliminating some positions. He said Glendale raised sales and property taxes to solve their own financial crisis. He gave examples of how his friends and family live on fixed incomes. He said the directors in the city got \$10,000 raises for being an executive director. He said the school district is making drastic cuts, but the city is spending more money. Mr. Demski said the city is taking the easy way out by raising taxes.

### **COUNCIL COMMENTS AND SUGGESTIONS**

Councilmember Alvarez said the city is spending money on places and activities that it shouldn't be spending money on. She spoke about millions of dollars being spent on legal fees and lobbying fees which is too much.

Councilmember Hugh told Councilmember Alvarez he would rather spend the money on youth recreation programs.

### **ADJOURNMENT**

There being no further business, the meeting was adjourned at 7:34 p.m.

Pamela Hanna  
Pamela Hanna - City Clerk