

# City of Glendale

5850 West Glendale Avenue  
Glendale, AZ 85301



## Meeting Minutes - Final

Tuesday, November 24, 2015

6:00 PM

Voting Meeting

Council Chambers

### City Council

*Mayor Jerry Weiers*

*Vice Mayor Ian Hugh*

*Councilmember Jamie Aldama*

*Councilmember Samuel Chavira*

*Councilmember Ray Malnar*

*Councilmember Lauren Tolmachoff*

*Councilmember Bart Turner*

**CALL TO ORDER**

**Present:** 7 - Mayor Jerry Weiers, Vice Mayor Ian Hugh, Councilmember Jamie Aldama, Councilmember Samuel Chavira, Councilmember Ray Malnar, Councilmember Lauren Tolmachoff, and Councilmember Bart Turner

Also present were Richard Bowers, Acting City Manager; Jennifer Campbell, Assistant City Manager; Tom Duensing, Interim Assistant City Manager; Michael Bailey, City Attorney; Pamela Hanna, City Clerk; and Darcie McCracken, Deputy City Clerk.

Mayor Weiers introduced students from Arizona State University West Campus Government and Politics class who were attending the meeting.

**PLEDGE OF ALLEGIANCE****PRAYER/INVOCATION**

The invocation was offered by Pastor Emmanuel Allen from the Breakthrough Life Church.

**CITIZEN COMMENTS**

John Moreno, with the Pendergast School District, thanked the Council for their support of education. He spoke about the Pendergast School District and their new Superintendent. He thanked everyone for their approval of the school override and said it does impact education. He extended an invitation to the Council to attend any of their monthly community breakfasts, as well as the monthly parent luncheon. He spoke about tax credits as well.

Mayor Weiers said the Superintendent took 2,000 boxes for the food drive and said Pendergast School District is already stepping up. He thanked them for their support to help the community.

James Deibler, a Phoenix resident, said residents need to support small businesses in downtown Glendale. He said residents also need a grocery store in the downtown area. He said Glendale does not need light rail because the streets are too narrow and there isn't taxpayer money to support it. He said downtown was not designed to support light rail.

**APPROVAL OF THE MINUTES OF NOVEMBER 10, 2015 VOTING MEETING**

1. [15-779](#) APPROVAL OF THE MINUTES OF NOVEMBER 10, 2015 VOTING MEETING  
Staff Contact: Pamela Hanna, City Clerk

**A motion was made by Councilmember Aldama, seconded by Councilmember Chavira, that this agenda item be approved. The motion carried by the following vote:**

**Aye:** 7 - Mayor Weiers, Vice Mayor Hugh, Councilmember Aldama, Councilmember Chavira, Councilmember Malnar, Councilmember Tolmachoff, and Councilmember Turner

## **BOARDS, COMMISSIONS AND OTHER BODIES**

### **APPROVE RECOMMENDED APPOINTMENTS TO BOARDS, COMMISSIONS AND OTHER BODIES**

**PRESENTED BY: Councilmember Lauren Tolmachoff**

2. [15-754](#)      **BOARDS, COMMISSIONS & OTHER BODIES**  
 Staff Contact: Brent Stoddard, Director, Intergovernmental Programs
- Arts Commission - Mark Fast - Cholla Appointment - 11-24-15 to 8-24-17  
 Citizens Transportation Advisory Commission - Jack Nyland - Mayoral Appointment - 11-24-15 to 11-25-16  
 General Plan Steering Committee - Randy Miller - Mayoral appointment - 11-24-15 to 1-1-16  
 Glendale Municipal Property Corporation - Ron Cantrell - Yucca Reappointment - 12-1-15 to 12-1-16  
 Library Advisory Board - Linda Summer, Vice Chair - Cactus Reappointment - 11-24-15 to 9-26-16  
 Personnel Board - Bud Zomok, Chair - Ocotillo Reappointment - 12-22-15 to 12-22-16  
 Steven Gilman, Vice Chair - Yucca Reappointment - 12-22-15 to 12-22-16  
 Risk Management Workers' Compensation Trust Fund - Councilmember Ray Malnar, Council Appointee - Sahuaro Appointment - 11-24-15 to 7-24-17

Mayor Weiers administered the oath of office to those present.

**A motion was made by Councilmember Tolmachoff, seconded by Vice Mayor Hugh, that this agenda item be approved. The motion carried by the following vote:**

**Aye:** 7 - Mayor Weiers, Vice Mayor Hugh, Councilmember Aldama, Councilmember Chavira, Councilmember Malnar, Councilmember Tolmachoff, and Councilmember Turner

## **CONSENT AGENDA**

Mr. Richard Bowers, Acting City Manager, read agenda item numbers 3 through 9.

Ms. Pamela Hanna, City Clerk, read consent agenda resolution item numbers 10 through 14 by number and title.

3. [15-730](#)      **APPROVE SPECIAL EVENT LIQUOR LICENSE, CITY OF GLENDALE OFFICE OF SPECIAL EVENTS**  
 Staff Contact: Vicki Rios, Interim Director, Finance and Technology

**This agenda item was approved.**

4. [15-731](#) APPROVE LIQUOR LICENSE NO. 5-17858, THE ROGUE TOMATO  
Staff Contact: Vicki Rios, Interim Director, Finance and Technology

**This agenda item was approved.**

5. [15-736](#) AUTHORIZATION TO ENTER INTO A LINKING AGREEMENT FOR  
COOPERATIVE PURCHASE OF FIRE SYSTEM SUPPORT REPAIR  
AND REPLACE SERVICES FROM CLIMATEC, LLC, DOING BUSINESS  
AS CLIMATEC BTG

Staff Contact: Jack Friedline, Director, Public Works

**This agenda item was approved.**

6. [15-738](#) AUTHORIZATION TO ENTER INTO AMENDMENT NO. 2 TO THE  
LINKING AGREEMENT WITH EMPIRE SOUTHWEST, LLC, AND RATIFY  
AND APPROVE AN EMERGENCY COOPERATIVE PURCHASE OF A  
CATERPILLAR TRASH COMPACTOR CERTIFIED POWER TRAIN  
REBUILD FOR THE GLENDALE MUNICIPAL LANDFILL

Staff Contact: Jack Friedline, Director, Public Works

**This agenda item was approved.**

7. [15-739](#) AUTHORIZATION TO ENTER INTO A LINKING AGREEMENT FOR  
COOPERATIVE PURCHASE OF ELECTRICAL AND LIGHTING  
SUPPLIES FROM WESCO DISTRIBUTION, INC., DOING BUSINESS AS  
BROWN WHOLESALE ELECTRIC

Staff Contact: Jack Friedline, Director, Public Works

**This agenda item was approved.**

8. [15-742](#) AUTHORIZATION TO ENTER INTO AMENDMENT NO. 1 TO THE  
PROFESSIONAL SERVICES AGREEMENT FOR CAPITAL  
IMPROVEMENT PROGRAM PLANNING SERVICES AND RATIFICATION  
OF EXPENDITURES FOR PUBLIC INFRASTRUCTURE INVESTMENTS,  
LLC

Staff Contact: Jack Friedline, Director, Public Works

**This agenda item was approved.**

9. [15-751](#) AUTHORIZATION TO ENTER INTO A LINKING AGREEMENT WITH LDV,  
INC., AND APPROVE THE PURCHASE OF A TACTICAL  
NEGOTIATIONS COMMAND VEHICLE FOR THE GLENDALE POLICE  
DEPARTMENT UTILIZING A COOPERATIVE PURCHASING  
AGREEMENT

Staff Contact: Debora Black, Police Chief

**This agenda item was approved.**

**CONSENT RESOLUTIONS**

10. [15-748](#) RESOLUTION 5041: AUTHORIZATION TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF PHOENIX POLICE DEPARTMENT FOR PARTICIPATION IN THE ARIZONA INTERNET CRIMES AGAINST CHILDREN TASK FORCE  
Staff Contact: Debora Black, Police Chief
- RESOLUTION NO. 5041 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 PHOENIX POLICE DEPARTMENT FOR PARTICIPATION IN THE ARIZONA INTERNET CRIMES AGAINST CHILDREN (ICAC) TASK FORCE ON BEHALF OF THE GLENDALE POLICE DEPARTMENT.
- This agenda item was approved.**
11. [15-753](#) RESOLUTION 5042: AUTHORIZATION TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH THE U.S. DEPARTMENT OF JUSTICE, BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES FOR REIMBURSEMENT OF COSTS ASSOCIATED WITH THE TASK FORCE  
Staff Contact: Debora Black, Police Chief
- RESOLUTION NO. 5042 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 THE ENTERING INTO A MEMORANDUM OF AGREEMENT (MOA) WITH THE U.S. DEPARTMENT OF JUSTICE, BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES (ATF) FOR THE REIMBURSEMENT OF OVERTIME SALARY COSTS ASSOCIATED WITH THE ATF TASK FORCE BY GLENDALE POLICE DEPARTMENT.
- This agenda item was approved.**
12. [15-752](#) RESOLUTION 5043: AUTHORIZATION TO ENTER INTO AMENDMENT NO. 2 TO THE INTERGOVERNMENTAL AGREEMENT WITH ARIZONA DEPARTMENT OF ECONOMIC SECURITY FOR COMMUNITY ACTION PROGRAM FUNDING  
Staff Contact: Erik Strunk, Director, Community Services
- RESOLUTION NO. 5043 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 AMENDMENT NO. 2 TO THE INTERGOVERNMENTAL AGREEMENT WITH THE ARIZONA DEPARTMENT OF ECONOMIC SECURITY FOR COMMUNITY ACTION PROGRAM FUNDING.
- This agenda item was approved.**

13. [15-743](#) RESOLUTION 5044: APPROVAL OF THE GLENDALE TRANSIT TITLE VI IMPLEMENTATION PLAN  
Staff Contact: Jack Friedline, Director, Public Works
- RESOLUTION NO. 5044 NEW SERIES WAS READ BY NUMBER AND TITLE ONLY, IT BEING A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, APPROVING THE GLENDALE TRANSIT TITLE VI IMPLEMENTATION PLAN.

**This agenda item was approved.**

14. [15-745](#) RESOLUTION 5045: LICENSE AGREEMENT WITH NEWPATH NETWORKS LLC FOR THE CONTINUED OPERATION OF A DISTRIBUTED ANTENNA SYSTEM (SMALL CELL) ON CITY TRAFFIC SIGNAL POLES WITHIN PUBLIC RIGHT-OF-WAY AT 91ST AND 95TH AVENUES  
Staff Contact: Jack Friedline, Director, Public Works
- RESOLUTION NO. 5045 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 THE CITY MANAGER TO EXECUTE A LICENSE AGREEMENT FOR WIRELESS COMMUNICATIONS SITES IN TWO (2) CITY OF GLENDALE RIGHT-OF-WAYS LOCATED ON GLENDALE AVENUE BETWEEN 91ST AND 95TH AVENUES IN GLENDALE, ARIZONA WITH NEWPATH NETWORKS, LLC.

**This agenda item was approved.**

#### Approval of the Consent Agenda

**A motion was made by Turner, seconded by Hugh, to approve the recommended actions on Consent Agenda Item Numbers 3 through 9 and Consent Resolutions 10 through 14. The motion carried by the following vote:**

**Aye:** 7 - Mayor Weiers, Vice Mayor Hugh, Councilmember Aldama, Councilmember Chavira, Councilmember Malnar, Councilmember Tolmachoff, and Councilmember Turner

#### ORDINANCES

15. [15-740](#) ORDINANCE 2969: ACCEPTANCE OF A SEWER LINE EASEMENT AT ASPERA LOT 4A  
Staff Contact: Jack Friedline, Director, Public Works
- Jack Friedline said this is a request to accept a new sewer line at Aspera. A new public sewer line has been constructed and approved by the city on Lot 4A at Aspera, which will meet future sewer demands on this parcel. Staff recommends acceptance of the new sewer line easement. There will be no impact on city departments, staff or service levels and no costs will be incurred to the city for this action.

ORDINANCE NO. 2969 NEW SERIES, WAS READ BY NUMBER AND TITLE ONLY, IT BEING AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA

COUNTY, ARIZONA, AUTHORIZING THE EXECUTION OF A SEWER LINE EASEMENT LOCATED AT LOT 4A OF ASPERA; AND DIRECTING THE CITY CLERK TO RECORD A CERTIFIED COPY OF THIS ORDINANCE.

**A motion was made by Councilmember Malnar, seconded by Councilmember Chavira, that this agenda item be approved. The motion carried by the following vote:**

**Aye:** 7 - Mayor Weiers, Vice Mayor Hugh, Councilmember Aldama, Councilmember Chavira, Councilmember Malnar, Councilmember Tolmachoff, and Councilmember Turner

**16.**     [15-741](#)

ORDINANCE 2970: ACCEPTANCE OF A WATER LINE EASEMENT AT ASPERA LOT 4A

Staff Contact: Jack Friedline, Director, Public Works

Jack Friedline said this is a request to accept a new water line at Aspera. A new public water line has been constructed and approved by the city on Lot 4A at Aspera, which will meet future water demands on this parcel. Staff recommends acceptance of the new water line easement. There will be no impact on city departments, staff or service levels and no costs will be incurred to the city for this action.

ORDINANCE NO. 2970 NEW SERIES, WAS READ BY NUMBER AND TITLE ONLY, IT BEING AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE EXECUTION OF A WATER LINE EASEMENT LOCATED AT LOT 4A OF ASPERA; AND DIRECTING THE CITY CLERK TO RECORD A CERTIFIED COPY OF THIS ORDINANCE.

**A motion was made by Councilmember Turner, seconded by Councilmember Chavira, that this agenda item be approved. The motion carried by the following vote:**

**Aye:** 7 - Mayor Weiers, Vice Mayor Hugh, Councilmember Aldama, Councilmember Chavira, Councilmember Malnar, Councilmember Tolmachoff, and Councilmember Turner

**NEW BUSINESS**

**17.**     [15-797](#)

RELEASE AND SETTLEMENT AGREEMENT WITH SW GENERAL, INC. DBA SOUTHWEST AMBULANCE FOR OUTSTANDING FEES DUE TO THE CITY

Staff Contact: Michael D. Bailey, City Attorney

Mr. Bailey said this item is a release and settlement agreement between Southwest Ambulance and the City of Glendale to resolve a dispute regarding ambulance ride along fees and to set the rate for ambulance ride along fees at \$98.15.

Greg James, West Division President of Rural/Metro, said he supported the motion and would be available to answer any questions of the Council.

**A motion was made by Councilmember Chavira, seconded by Vice Mayor Hugh, that this agenda item be approved. The motion carried by the following vote:**

**Aye:** 7 - Mayor Weiers, Vice Mayor Hugh, Councilmember Aldama, Councilmember Chavira, Councilmember Malnar, Councilmember Tolmachoff, and Councilmember Turner

18. [15-798](#)

**APPOINTMENT OF CITY MANAGER**

Staff Contact: James Brown Jr., Human Resource and Risk Management Director; and Michael D. Bailey, City Attorney

Mr. Brown said this item is a request for council to appoint a city manager and enter into an employment agreement setting forth the terms and conditions of employment. The city charter provides the council shall appoint an officer of the city with the title of city manager and shall have the power and perform the duties set forth in the charter.

Mr. Bowers read a statement from Mr. Phelps regarding this appointment:

"Mayor Weiers and members of the Glendale City Council, I am both honored and humbled to be selected as the next City Manager for the City of Glendale. It is a responsibility that I do not take lightly. During the recruitment process I was privileged to meet many of the dedicated city employees who serve day in and day out and am looking forward to meeting them all. The more I hear about our engaged citizens and our dedicated business and community leaders the more excited I am to begin working with them. While there are certainly challenges to be addressed in the future, they are only exceeded by the tremendous opportunities and resources that the City is blessed to have. As the City Manager of Glendale, I promise to demonstrate a strong work ethic. I will serve the citizens, Council and employees of Glendale with integrity, transparency, respect and passion. I will lead by my actions and will at all times seek excellence in every area of city government. In closing, my wife Lynda and I are excited to part of the Glendale community and to call Glendale home. We feel privileged and grateful to be considered and selected for this incredible opportunity."

Mayor Weiers congratulated Mr. Phelps.

**A motion was made by Councilmember Tolmachoff, seconded by Councilmember Aldama, that this agenda item be approved. The motion carried by the following vote:**

**Aye:** 7 - Mayor Weiers, Vice Mayor Hugh, Councilmember Aldama, Councilmember Chavira, Councilmember Malnar, Councilmember Tolmachoff, and Councilmember Turner

**REQUEST FOR FUTURE WORKSHOP AND EXECUTIVE SESSION**

**A motion was made by Vice Mayor Hugh, seconded by Councilmember Turner, to hold the next regularly scheduled City Council workshop on Tuesday, December 1, 2015 at 1:30 p.m. in Room B-3 of the City Council chambers, to be followed by an Executive Session pursuant to ARS 38-431.03. The motion carried by the following vote:**

**Aye:** 7 - Mayor Weiers, Vice Mayor Hugh, Councilmember Aldama, Councilmember Chavira, Councilmember Malnar, Councilmember Tolmachoff, and Councilmember Turner

**COUNCIL COMMENTS AND SUGGESTIONS**

Councilmember Aldama cancelled December's mobile office hours, and said the next



mobile office hours will be held in January 2016. He reminded residents of small business Saturday and asked residents to shop local in the downtown and Catlin Court area on November 27th. He also asked everyone to join Councilmember Turner and Councilmember Aldama for the Catlin Court Neighborhood Volunteer and information fair. It will be held on Saturday, December 5th, from 8 a.m. to 12 p.m. to help improve the neighborhood and learn about important city services that are available. It is an opportunity to get involved and refreshments will be provided. The event will be located on 56th Avenue, between State and Northview. He thanked employees and wished everyone a Happy Thanksgiving.

Councilmember Chavira welcomed Mr. Phelps as the new City Manager. He is thankful to God for his wife and children to helping to take care of his mother-in-law who has been ill. He said everyone has a lot to be thankful for.

Councilmember Aldama congratulated Mr. Phelps on his appointment as City Manager.

Councilmember Malnar welcomed Mr. Phelps to the Glendale family. He wished everyone a Happy Thanksgiving.

Councilmember Tolmachoff welcomed Mr. Phelps and is looking forward to working with him. She wished a Happy Thanksgiving to all city staff and the residents of Glendale. She reminded everyone of the First Annual Cholla Holiday Mixer on December 9th at Foothills Aquatics Center from 7 p.m. to 9 p.m. Refreshment will be provided and there will be an ugly sweater contest.

Councilmember Turner is thankful about the agreement with Southwest Ambulance. He is also excited about the new City Manager coming on board. He reminded everyone about Glendale Glitters and said Kurt Warner will be throwing the switch on Friday night.

Vice Mayor Hugh thanked Mr. Bowers for helping the city out during the city's time of need. He congratulated Mr. Phelps and is looking forward to working with him.

Mayor Weiers welcomed Mr. Phelps and said he has a major challenge. He said he has a lot of experience and he understands his role as city manager. He asked everyone to be thankful for their family.

## **ADJOURNMENT**

The meeting was adjourned at 6:38 p.m.