

# City of Glendale

*5850 West Glendale Avenue  
Glendale, AZ 85301*



## Meeting Minutes - Draft

**Tuesday, January 10, 2017**

**6:00 PM**

**Voting Meeting**

**Council Chambers**

### **City Council**

*Mayor Jerry Weiers*

*Vice Mayor Ian Hugh*

*Councilmember Jamie Aldama*

*Councilmember Joyce Clark*

*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 Joyce Clark, Councilmember Ray Malnar, Councilmember Lauren Tolmachoff, and Councilmember Bart Turner

Also present were Kevin Phelps, City Manager; Tom Duensing, Assistant City Manager; Michael Bailey, City Attorney; Julie K. Bower, City Clerk; and Darcie McCracken, Deputy City Clerk.

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

The invocation was offered by Samson Dunn of the Catalyst Church.

**CITIZEN COMMENTS**

Joy (last name unknown), a Sahuaro resident, spoke about drugs in the valley. She said a man was handing out heroin at drug centers and she had gone to several law enforcement agencies and no one was taking care of the issue.

Bill Demski, a Sahuaro resident, spoke about several accidents he had while riding his bike. Police officers had refused to take a report. He said he had filed a complaint with the Police Department and the officers were eventually exonerated from any wrongdoing. He had called the City Manager and the Police Chief about the incidents and never received return phone calls.

James Deibler, a Phoenix resident, spoke about a state bill regarding backyard chickens. He also said there was a need for a Microsoft store at the Arrowhead Mall to bring jobs to the west valley.

John Hunt, a Sahuaro resident, spoke about the issue of backyard chickens. He did not support the bill because he did not want to deal with neighbors having chickens or geese in their backyards.

**APPROVAL OF THE MINUTES OF DECEMBER 13, 2016 SPECIAL MEETING AND DECEMBER 20, 2016 VOTING MEETING**

1. [16-663](#) APPROVAL OF THE MINUTES OF DECEMBER 13, 2016 SPECIAL MEETING AND DECEMBER 20, 2016 VOTING MEETING  
Staff Contact: Julie K. Bower, City Clerk

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

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

**CONSENT AGENDA**

Ms. Bower read consent Resolution Item number 15 by number and title.

Mayor Weiers said Councilmember Clark requested Items 4, 6, 8, 9 and 10 separately. Mayor Weiers asked if any Councilmembers wanted to hear any other items separately.

Councilmember Clark explained she wanted the items pulled so she could have an opportunity to record her no vote on the five items. She said she would be abdicating her fiduciary responsible as a Councilmember by voting to approve the lengthy contracts because there was no time for a periodic review of the requests. Councilmember Clark would be asking for research into long term purchase contracts as a council item of special interest.

2.     [16-661](#)     RECOMMEND APPROVAL OF SPECIAL EVENT LIQUOR LICENSE,  
KNIGHTS OF COLUMBUS 7114  
Staff Contact: Vicki Rios, Director, Budget and Finance
3.     [16-662](#)     RECOMMEND APPROVAL OF LIQUOR LICENSE NO. 5-21965,  
LUCKY'S PIZZA  
Staff Contact: Vicki Rios, Director, Budget and Finance
5.     [16-640](#)     AWARD OF RFP 17-07 AND AUTHORIZATION TO ENTER INTO AN  
AGREEMENT WITH RAFTELIS FINANCIAL CONSULTANTS, INC., TO  
PROVIDE FINANCIAL PLANNING AND RATE STUDY SERVICES  
Staff Contact: Craig Johnson, P.E., Director, Water Services
7.     [16-651](#)     AWARD OF RFP 17-08 AND AUTHORIZATION TO ENTER INTO AN  
AGREEMENT WITH M.P. ENVIRONMENTAL SERVICES, INC., FOR  
SLUDGE EXCAVATION AND HAULING SERVICES  
Staff Contact: Craig Johnson, P.E., Director, Water Services
11.    [16-667](#)     AUTHORIZATION FOR A BUDGET APPROPRIATION CONTINGENCY  
TRANSFER TO CAPITAL PROJECTS BUILDING MAINTENANCE  
RESERVE FOR VARIOUS CRITICAL OR SAFETY-RELATED REPAIR  
AND REPLACEMENT PROJECTS AT CITY FACILITIES  
Staff Contact: Jack Friedline, Director, Public Works
12.    [16-668](#)     AUTHORIZATION TO ENTER INTO AMENDMENT NO. 2 TO THE  
PROFESSIONAL SERVICES AGREEMENT WITH DIBBLE &  
ASSOCIATES CONSULTING ENGINEERS, INC., DOING BUSINESS AS  
DIBBLE ENGINEERING, FOR ADDITIONAL DESIGN SERVICES FOR  
THE NORTH APRON REHABILITATION PHASE II PROJECT  
Staff Contact: Jack Friedline, Director, Public Works
13.    [16-669](#)     AUTHORIZATION TO ENTER INTO A CONSTRUCTION AGREEMENT  
WITH ACHEN-GARDNER CONSTRUCTION, L.L.C., FOR THE 47TH  
AVENUE STORM DRAIN PROJECT  
Staff Contact: Jack Friedline, Director, Public Works
14.    [16-670](#)     AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH SALT RIVER

PROJECT (SRP) TO INITIATE DESIGN AND CONSTRUCTION ON THE SALT RIVER PROJECT AESTHETICS PROJECT LOCATED AT 47TH AVENUE FROM NORTH OF GLENDALE AVENUE TO NORTHVIEW AVENUE

Staff Contact: Jack Friedline, Director, Public Works

## CONSENT RESOLUTIONS

15.     [16-630](#)     RESOLUTION NO. R17-01

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND DIRECTING THE ENTERING INTO OF A MEMORANDUM OF UNDERSTANDING WITH THE CITY OF PHOENIX ADMINISTERED BY ITS FIRE DEPARTMENT FOR INCIDENT SAFETY OFFICER SYSTEM (ISOS) TRAINING FOR GLENDALE FIREFIGHTERS.

Staff Contact: Terry Garrison, Fire Chief

Approval of the Consent Agenda

**A motion was made by Turner, seconded by Tolmachoff, to approve the recommended actions on Consent Agenda Item Numbers 2, 3, 5, 7 and 11 through 14 and Consent Resolution 15. The motion carried by the following vote:**

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

4.     [16-664](#)     AUTHORIZATION FOR THE PURCHASE OF TABLEAU SOFTWARE LICENSES, SERVICES, AND MAINTENANCE FROM CDW-G UTILIZING A COOPERATIVE PURCHASING CONTRACT  
Staff Contact: Charles Murphy, Chief Information Officer, Innovation and Technology

Mr. Murphy said this item was for authorization of the purchase of the Tableau Software Business Intelligence Solution. He said Tableau was selected based on functionality and ease of use. This purchase was being made under a state contract, which expired in 2021.

Councilmember Clark had no questions, but wanted the opportunity to record a no vote on the item.

Councilmember Turner asked if the items could be expedited by recording a no vote on all of the items at once.

Mayor Weiers asked Councilmember Clark if she wanted to hear the items separately.

Councilmember Clark said she had no objection with hearing the items all at once.

Mayor Weiers asked Councilmember Turner to move all five items.

[Items 4, 6, 8, 9 and 10 were acted upon in one motion and one vote.]

6. [16-648](#) AWARD OF IFB 17-15 AND AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH DANA KEPNER COMPANY, INC., FOR LARGE WATER METERS AND PARTS  
Staff Contact: Craig Johnson, P.E., Director, Water Services
8. [16-652](#) AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH INDUSTRIAL AUTOMATION SERVICES, INC., A SOLE SOURCE PROVIDER, FOR PARTS, EQUIPMENT, AND SERVICE FOR KROHNE EQUIPMENT  
Staff Contact: Craig Johnson, P.E., Director, Water Services
9. [16-653](#) AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH BALAR HOLDING CORPORATION, DOING BUSINESS AS BALAR EQUIPMENT, A SOLE SOURCE PROVIDER, FOR PARTS, EQUIPMENT, AND SERVICE FOR STANLEY TOOLS AND E.H. WACHS EQUIPMENT  
Staff Contact: Craig Johnson, P.E., Director, Water Services
10. [16-657](#) AUTHORIZATION TO ENTER INTO AMENDMENT NO. 1 TO THE AGREEMENT WITH CAL-PACIFIC CARBON, LLC, FOR THE PURCHASE OF POWDERED ACTIVATED CARBON  
Staff Contact: Craig Johnson, P.E., Director, Water Services

**A motion was made by Councilmember Turner, seconded by Vice Mayor Hugh, to approve agenda items 4, 6, 8, 9 and 10. The motion carried by the following vote:**

**Aye:** 6 - Mayor Weiers, Vice Mayor Hugh, Councilmember Aldama, Councilmember Malnar, Councilmember Tolmachoff, and Councilmember Turner

**Nay:** 1 - Councilmember Clark

#### **PUBLIC HEARING - LAND DEVELOPMENT ACTIONS**

16. [16-658](#) ORDINANCE NO. O17-01

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, REZONING PROPERTY LOCATED AT 16480 NORTH 59TH AVENUE FROM C-O (COMMERCIAL OFFICE) TO G-O (GENERAL OFFICE); AMENDING THE ZONING MAP; PROVIDING FOR AN EFFECTIVE DATE; AND ORDERING THAT A CERTIFIED COPY OF THIS ORDINANCE IS RECORDED.

Staff Contact: Jon M. Froke, AICP, Planning Director

Ms. Bower read Ordinance No. O17-01.

Mr. Froke said the applicant was requesting to rezone the property from commercial office to general office zoning district. Rezoning the site would allow for medical use

greater than 5,000 square feet. The site was just over 2.5 acres and was currently vacant. A new single-story building was proposed and 28 percent of the site would be landscaped.

Mr. Froke said the proposed facility was a plasma collection facility and it would be open Monday through Saturday from 8 a.m. to 6 p.m. New off-site street improvements were planned on both 59th Avenue and Kings Avenue, which included a new southbound right turn lane on 59th Avenue onto the site as well as completion of gutter, curb and sidewalks adjacent to the site. He said the building design would complement the area and would be positioned adjacent to 59th Avenue. The building would be located 200 feet east of nearby single family homes.

Mr. Froke said the rezoning of the property was consistent with the general plan. He said the Planning Commission unanimously approved the plan, subject to three stipulations.

Councilmember Turner asked if there was other G-O zoned land in the area and asked where that land was located.

Mr. Froke said there was G-O zoned property that was located on the north side of Bell Road at 63rd Avenue. He said that was the new Honor Health facility.

Councilmember Turner asked if that was the only other G-O zoned property.

Mr. Froke said that was the only other G-O zoned property in the area.

Councilmember Malnar asked what sort of public response was received during the community meetings that were held.

Mr. Froke said there were concerns about what type of operations that would occur at the plasma center, as well as concerns about traffic in the area. He said there were also site concerns about placement of walls and landscaping. He explained the applicant agreed to delay the item to allow time for a second neighborhood meeting about the issue. He said 10 residents attended the second meeting.

Councilmember Malnar asked what the attendance was at the Planning Commission meeting when the issue was discussed.

Mr. Froke said the item was heard by the Planning Commission on October 6th, and there were 11 speakers, all in opposition to the case.

Councilmember Malnar asked if the Planning Commission passed the item unanimously.

Mr. Froke said that was correct.

Councilmember Malnar asked if the Planning Commission would have voted in favor of the project if there had been a larger turnout at that meeting.

Mr. Froke said it was hard to say which items would draw a lot of interest from the public.

Councilmember Clark asked Mr. Froke to talk about the purpose of C-O zoning.

Mr. Froke said there were several different zoning districts. He said the least intensive zoning district was R-O, and there weren't many of those in Glendale.

Councilmember Clark asked about the difference between general office and commercial office zoning.

Mr. Froke said the next level of zoning was commercial office (C-O) which would include medical or professional offices. He said general office (G-O) was used to expand the use of some of those facilities and there were not many in Glendale.

Councilmember Clark asked if C-O or G-O zoning was more intense.

Mr. Froke said G-O zoning was more intense.

Councilmember Clark asked what other kinds of uses were allowed under G-O zoning that were not allowed under C-O zoning.

Mr. Froke said the most significant difference between the two would be the overnight stay at a hospital facility and there was more intensity allowed in a G-O zoning, such as the height of a building.

Councilmember Clark said she understood that a G-O zoning allowed for major employment concentrations and asked what that meant.

Mr. Froke said the Bell Road corridor would be an example of a major employment concentration.

Councilmember Clark asked which of those zoning districts provided a better buffer for adjacent neighborhoods.

Mr. Froke said C-O would probably provide a better buffer, however G-O would not be a bad neighbor in this case, especially with the landscape package that was being proposed.

Councilmember Clark said Mr. Froke said C-O would be the better buffer.

Mr. Froke said that was correct.

Councilmember Clark asked Mr. Froke's personal opinion on whether 1,000 to 1,200 visits per week was intense use or benign use.

Mr. Froke said he thought it was adequate and appropriate for an arterial street such as 59th Avenue.

Councilmember Clark said it might be appropriate for the use, but asked if Mr. Froke considered that to be an intense use.

Mr. Froke said he did not.

Councilmember Tolmachoff asked if the landscape buffer was the only buffer to the neighborhood that was near the proposed site.

Mr. Froke said vehicular access to the site met all the requirements of the Transportation Department and Public Works Department. He said both parties believed there was adequate access.

Councilmember Tolmachoff asked if the entire buffer consisted only of landscape.

Mr. Froke said a wall existed that was built for the subdivision to the west and that wall would remain in place. There would also be decorative screen walls for the parking lots.

Councilmember Tolmachoff asked what type of jobs the project would create.

Mr. Froke deferred the question to the applicant's presentation.

Councilmember Aldama asked what was the height of the proposed building.

Mr. Froke said the building would be less than 30 feet in height.

Councilmember Aldama asked about the distance from the building itself to the homes that were just west of the site.

Mr. Froke said the distance from the building to the residential fence line was 200 feet.

Councilmember Aldama asked what was located in that 200-foot space.

Mr. Froke explained there was a parking lot, landscaping and storm water retention.

Councilmember Aldama asked how many plasma donation businesses were located in Glendale.

Mr. Froke said there were three facilities currently in Glendale.

Councilmember Aldama said there were two existing facilities and the one proposed site.

Mr. Froke said that was correct. Mr. Froke said United Blood Services was about a mile north of the site but did not pay for donations.

Councilmember Aldama asked if the facility located on Camelback was relocated from 59th Avenue and Northern.

Mr. Froke said the facility on Camelback had been there for some time. The facility on Northern and 51st Avenue relocated a couple of years ago from 59th Avenue and Northern.

Councilmember Aldama asked how long those facilities had been located in Glendale.

Mr. Froke said the facility on Camelback had been there for about 20 to 25 years. The facility at 51st and Northern was relocated within the last 5 years. He said United Blood Services had been in its current location for 10 to 15 years.

Councilmember Aldama asked if staff or the Planning Commission requested any records from the Police Department about the facilities currently located in Glendale.

Mr. Froke said no records were requested to his knowledge and he did not know of any issues with either of those facilities.

Mayor Weiers asked if the applicant could make their presentation. He asked for clarification regarding the two existing facilities and if they were plasma centers and if United Blood Services was limited to blood donations.



Kristen Frye, a site manager with BioLife, explained it depended on the organization. She said some blood service organizations did collect platelets or plasma as well. She was not familiar with the operations of United Blood Services. Ms. Frye said BioLife had met several times with the neighborhood to educate them about BioLife. The Planning Commission had unanimously approved the project and the plasma center was a permitted use in the zoning classification.

Ms. Frye said one concern expressed by the neighborhood was the potential to draw undesirable individuals into the community. She said every individual was required to provide government-issued identification and proof of address. Every individual was checked to make sure their address was a home and not a homeless shelter or transient type motel. She explained first-time donors were required to complete a physical examination and health screening. Homeless persons were not eligible to donate and loitering was not permitted on the facility.

Ms. Frye said BioLife observed all regulations regarding disposal of medical waste. They would be bringing in about 25 percent less traffic than the maximum allowed at the location. The facility was licensed and regulated by the FDA. She said the actual medical use area of the proposed building was under 5,000 square feet. In addition to the donor and medical use area, the building would also house offices and other non-medical use areas, which was the reason for the request for the rezone.

Ms. Frye said proposed traffic would be about 25 percent less than the maximum allowed. She said staffing included managers, registered nurses and phlebotomists and wages were comparable to other wages for similar jobs in the community. She said the proposed building was about 22 feet in height.

Councilmember Clark asked if the majority of the employees at the facility drew blood or plasma.

Ms. Frye said staffing varied. Typically around 30 employees were hired. She explained employees were usually cross-trained and might work in various positions in the building.

Councilmember Clark asked if that type of medical staff was paid well, and said she was not talking about managerial staff or the cross-trained staff who worked in several different areas of the facility. She was talking about those employees who drew the blood or plasma.

Ms. Frye said the company looked at salary ranges for the positions across the country and evaluated the Glendale wages. She said the wages were comparable to positions at other facilities and training was provided to employees. She did not consider the salaries to be on the low end of the range. The company also offered medical, dental and vacation benefits to part-time employees.

Mayor Weiers asked Ms. Frye to explain the process for a brand-new customer coming to the facility.

Ms. Frye said the process included collecting identification, entering the donor into the electronic system, review of donor eligibility, obtaining a donor medical history, a general physical and collection of the donation.

Mayor Weiers asked about the collection.

Ms. Frye explained with a single puncture, whole blood was collected and a machine

separated the plasma from the donation. The whole blood was then returned to the donor.

Mayor Weiers asked how long donors had to wait between donations.

Ms. Frye said plasma could be donated twice within a seven-day period, as long as there was a day separating the donations.

Mayor Weiers asked if donors were paid for their donations.

Ms. Frye said donors were compensated for their time.

Mayor Weiers asked how many centers BioLife currently operated.

Ms. Frye said they currently operated 85 centers.

Mayor Weiers asked about the average customer for donations.

Ms. Frye said customers were between 18 and 99 years of age. She said about 85 percent of the donors were working professionals, stay-at-home moms and other citizens. She said the average age of donors was between 18 and 60 years old. The minimum age to donate was 18 years and there was a minimum weight requirement of 110 pounds.

Mayor Weiers asked Ms. Frye to describe the average recipient of the plasma.

Ms. Frye said plasma treated individuals with hemophilia, several chronic diseases, burn and shock victims, as well as others.

Councilmember Tolmachoff asked how much the donors received for a donation.

Ms. Frye said the amount varied based on the area. She was not really involved in that aspect but said a donor might receive \$20 for their first donation and \$30 for their second donation.

Councilmember Tolmachoff asked how long the process took for a return donor.

Ms. Frye said the initial process took about 2 hours and a return donation took about 65 minutes.

Councilmember Tolmachoff asked if the center would allow walk-in appointments.

Ms. Frye said the center only accepted donors with scheduled appointments through its online scheduling system.

Councilmember Clark asked if there was an average of 1,000 to 1,200 weekly visits to a collection center.

Ms. Frye said it varied but that figure would be accurate within a year of a center opening.

Councilmember Clark asked if this center could see 180 to 200 visits per day.

Ms. Frye said that was correct.

Councilmember Malnar asked if a walk-in customer would be allowed to donate.

Ms. Frye said if an appointment time was available, the center would try and work that person in, but there had been times when a donor might be asked to return with an appointment.

Councilmember Malnar asked if a walk-in donor would be accepted if there was an opening in the appointment times.

Ms. Frye said they would accept that donor if there was an opening.

Mayor Weiers opened the public hearing.

Heidi Gustafson, a Sahuaro resident, was worried about increased traffic and safety of students at the nearby school. She asked if having the facility would increase drug activity in the area and asked if police presence would be increased due to the increase in traffic along Kings Avenue. She said the smallest possible facility would be best if it was approved and said there was already a parking problem in the area.

Laurie Walsh, a Sahuaro resident, said she represented many residents in the audience. She said donors came for the money they were paid for their donation. She said a community rejected this type of center because of the crime it brought to the area and the increased traffic. She asked that the item be voted down for the safety and preservation of the community.

Steven Parker, a Sahuaro resident, lived right around the corner from the proposed business. He was not anti-business, but was asking for a no vote on the issue. He said the current zoning balanced business and the neighborhood. He said more people would increase crime and traffic in the area. The facility would meet the City's need and the business' need, but did not meet the needs of the neighborhood. He was worried about the loss in home values if the facility was built.

Monte Rae, a Sahuaro resident, had collected signatures on the issue and said 82 percent of residents did not want the project completed. He disputed the donor traffic figures presented by BioLife and thought the traffic would be much higher. He said there was already Goodwill and a rehab facility in the area and the plasma center would just attract more people looking for easy money. He said the traffic would increase in the nearby neighborhoods, as well.

Kathy Parker, a Sahuaro resident, said she understood the City's desire to develop the property and retain a revenue source. The public was very interested in the issue. She said they would be affected by the zoning change decision and would have to deal with the realities. She said the Planning Commission unanimously approved the project even though many residents had strenuously objected. She asked the Council to give careful consideration to the vote.

Gail Sharp, a Sahuaro resident, was not happy with the project and traffic had already increased from the Goodwill store. She said there would be no encouragement for the homeless to leave the area with promise of payment every few days.

Roger Sharp, a Sahuaro resident, had noticed many more people in his neighborhood since the Goodwill store opened nearby, and had been accosted by homeless people twice. He did not want the facility in his neighborhood and asked the Council to vote against it.

Elizabeth Mares, a Sahuaro resident, said the City failed to notify more than a handful of neighbors for the first BioLife meeting. She said Councilmember Malnar said he would not want a plasma center in his neighborhood. They had many signatures on a petition of everyone that opposed the project. She had attended the second BioLife meeting and was threatened and had to file a police report. She said the Council did not want to ruin the neighborhood.

Debbie Boone, a Sahuaro resident, said the parking lot of the project was directly behind her home. She said BioLife and Build to Suit had not addressed any of their concerns. She spoke about the traffic and crime issues that would occur once the facility was open. She asked the Council to consider opposing the project.

Harry Boone, a Sahuaro resident, provided copies of the signed neighborhood petitions to the City Clerk. He said more traffic in his area would mean more crashes. He also spoke about the increase in crime in Glendale and said the plasma center would increase crime in his neighborhood. He spoke about his experience visiting other plasma centers. He asked the Council to oppose the item.

John Hunt, a Sahuaro resident, had lived near a blood donation facility in the past and knew the kind of crime that occurred near those locations. He said the traffic would be a nightmare and it would attract the wrong element into their neighborhood. He hoped the Council voted against the item. He also asked if changing the zoning would allow the facility to operate 24 hours a day. If it was a 24-hour facility, it made the project even more undesirable and the neighborhood would have more problems.

Jarvi Brown-Hardy, a Sahuaro resident, said any paid donations were used for cosmetic and pharmaceutical use. She said the facility was not for medical use and was not compatible with area uses. She spoke about the low paying jobs in these types of facilities. She said the project did not make good marketing sense.

Bill Hutzal, a Sahuaro resident, said the facility would still be built even if the zoning was not changed. He spoke about the entrance to the location and the potential increase in traffic. He said he might consider moving out of the neighborhood. He asked the Council to consider voting no on the item.

Ken Tharp, a Sahuaro resident, said he lived close to the proposed facility. He was concerned about the Planning Commission's decision to approve the rezone and comparing the plasma center to the Honor Health facility. He was also concerned about the admission by BioLife that it was concerned about the square footage issue and wanted the rezoning for that reason. He hoped the Council would consider opposing the item.

Jen Deines, a Sahuaro resident, said she owned property near the proposed site and never received any information about it. She said most of the jobs created would be minimum wage jobs. She asked if there was going to be sales tax revenue generated and if the project would even help Glendale. She was concerned about potential drug traffic in the neighborhood. She said the constituents were not in favor of the project.

Rodica Bartels, a Glendale resident, asked where the people who were turned away from the proposed plasma center would go. She was concerned and said it was not something residents wanted in their backyard.

James Deibler, a Phoenix resident, said it was not a good idea to put the plasma center near a neighborhood. It would bring drugs, property theft and other crime into the area.

He asked the Council to keep their promise to the neighborhood and not rezone the property.

Mayor Weiers said he had speaker cards from several citizens who did not wish to speak. The following persons indicated they were opposed to the item: Michelle Wendler, Brian Walsh, Laurie Sharp, Tom Sharp, Purdy Hart, and Krystle Goolsby. He said Sheri Staehli did not wish to speak, but did not indicate whether she was opposed or in favor of the item.

Nathan Miller, a Sahuaro resident, purchased his home in 1997, and he was worried about the impact of the business on the neighborhood. He didn't have a problem with any of the medical buildings that had gone up recently in his area but this was not a medical building. He spoke about research he did about the location of plasma clinics and the impact it had on nearby neighborhoods. He said the Planning Commission did not ask about crime rates near the existing plasma centers. The business was not compatible with the neighborhood and asked the Council to vote against the item.

Joy, a Sahuaro resident, was concerned about the plasma center. She said she got to know the homeless in Glendale and said many of them were bused in from other states. She said this was a growth of drug issue within the City. She said the plasma center was an added feature to keep the drug addicted here in the City.

William Schmidt, a Sahuaro resident, had been a crime victim in his neighborhood. He had also been approached by homeless people on his street. He didn't want to see the plasma center in his neighborhood.

Linda Corley, a Sahuaro resident, said the clientele of the plasma center were not like the people in the neighborhood. They were usually drug addicts and the homeless.

Jason Harder, a licensed professional engineer, represented the development company and ownership group for the project. He said BioLife had tried to address the neighborhood issues. He said the rezone was to address the 5,000 square foot requirement of medical floor space and the problems that could arise in the future if requirements changed or were interpreted differently. He said this item was purely for clarification so they didn't run into problems in the future.

Councilmember Tolmachoff asked Mr. Froke if he had ever had the experience of a business being shut down after it had opened because of an issue described by Mr. Harder.

Mr. Froke said he didn't believe that had ever happened.

Councilmember Turner said he had a question about BioLife's smoking policy.

Ms. Frye said smoking was not allowed on the premises and signs were posted accordingly. Ms. Frye also clarified the comments made about cash. She said donors were compensated with a debit card and no cash was kept on the premises. She said the donors were utilizing that money at the gas stations and grocery stores and it could average between \$2 and \$3 million.

Councilmember Clark asked if the commercial office zoning would allow a 5,000 square foot commercial office on that site.

Mr. Froke said that was correct.

Councilmember Clark asked a question about the 5,000 foot requirement and requirements for buildings with medical use. She commented on the information provided by Mr. Harder and asked if the entire building, which was larger than 5,000 square feet, tied to medical use and supporting services of that medical use. She asked if that additional area was counted as part of the building.

Mr. Froke said an argument could be made based on Mr. Harder's example. He provided an example of another medical building that had waiting areas, storage areas and other parts of the facility which might or might not be considered medical use.

Councilmember Clark asked if those areas were considered part of the medical envelope of that building.

Mr. Froke said correct.

Councilmember Clark said those areas were all in support of providing medical services.

Mr. Froke agreed.

Councilmember Turner said he asked about smoking on the property a few minutes ago because smoking was usually not allowed and it pushed the smoking to the perimeter of the properties, which became an issue the neighbors had to deal with. He asked if it would be possible to require a stipulation to provide a designated smoking area with shade and seating available, to discourage a smoking nuisance near the neighborhood.

Mr. Froke said he had seen that scenario occur personally on several occasions. He said typically, those types of stipulations weren't included on site plans, but it didn't mean it couldn't be done. He said it sounded like it might be a BioLife policy violation.

Councilmember Turner was concerned about that and it seemed to be a recurring issue.

Mayor Weiers suggested asking BioLife if they would consider such a stipulation.

Ms. Frye said she would have to speak with the corporate office. She was more than willing to pose the question but said providing a smoking area might encourage unwanted persons from loitering on the property.

Councilmember Tolmachoff asked if the City had any medical facilities where the exam room was not considered part of the medical space.

Mr. Froke said Glendale had three hospitals which were in different zoning districts. He said each would have gone through a similar process. He was unable to answer Councilmember Tolmachoff's question.

Councilmember Tolmachoff said that seemed to be the heart of the issue here and an exam room should be considered part of the medical space.

Mr. Harder said exam rooms could possibly be included as part of the medical space, which was why he wanted to go through the rezoning process. He requested the Council vote in favor of the rezoning so the building could be added to the community and not worry about where the line was drawn as to specific usage of the square footage.

Mayor Weiers closed the public hearing.

Vice Mayor Hugh asked if the Clerk needed to read the ordinance.

Ms. Bower said she had previously read the ordinance by title.

Vice Mayor Hugh made a motion, seconded by Councilmember Clark, to approve Ordinance No. O17-01.

Councilmember Clark said it was a partnership between neighborhoods, businesses and government and when more weight was given to one, the system became dysfunctional. She said the notification requirements should be revised to include more homes, as most of the neighborhood had no idea what was going on. She said a general office zoning designation was too intense to be adjacent to a neighborhood. She was very concerned about the quantity of people visiting that site every day. She felt everything supported the medical activities in that building and the entire building was providing medical services to the community. She could not support the facility at over 16,000 square feet and the number of visits to the building.

Councilmember Malnar thanked Ms. Frye and her staff for providing information as requested, and the community for coming out and showing their concern about the issue. He said there was a Council item of special interest outstanding regarding looking at the 500-foot notification requirement. He said the petition signatures he received showed him that the community strongly opposed the item. He would stand behind the constituents that elected him and requested Council vote no on the item.

Councilmember Aldama said he would be voting nay. He said the signatures on the petitions he received were from that exact community. If he had the opportunity to go back in time, he would adamantly oppose the type of zoning that occurred just south of the City Hall building, as that zoning decimated the community that still existed. He explained that community lacked resources and support from a City that couldn't help it because of the zoning. The proposed facility under discussion was very close to homes, schools and parks and he was very concerned about the effects the zoning would have on the nearby properties. He knew firsthand how light industrial zoning could impact residential neighborhoods. He supported the work of staff and the Planning Commission as they worked strictly on land use.

Councilmember Tolmachoff thanked the community for coming out to speak on the issue. She said she had a responsibility to protect the neighborhoods and she would be voting nay on this issue.

Councilmember Turner would like staff to be mindful of the smoking problem at the medical buildings. He said he had to keep in mind this was a land use case and was not specific to the tenant, BioLife. He appreciated the comments from the community, and said his research indicated no increase in crime near the plasma center at 51st Avenue and Northern. It was a conforming use under the existing zoning and he was sympathetic to Mr. Harder's position about what might happen under a different inspector and they were valid concerns, but they were not overwhelming. Councilmember Turner said the land was zoned properly for the developer's use at this time and he was not compelled to change the zoning when the zoning on the property was adequate for the use proposed. He said he was voting no.

Vice Mayor Hugh said Council had read all the letters and emails it had received and appreciated all the petition signatures. He thanked the residents for coming tonight and he was voting nay.

Mayor Weiers said this was not that difficult of a decision, but the business could open up if it wanted to in a smaller facility. He said it chose to go bigger and that seemed to be the issue and he hoped it could find a place that was more receptive to the business. He believed not everyone who donated plasma was a bad person and he was concerned about those who needed those blood products. He said the Council represented the citizens and they had overwhelming told them how they felt. He said he was voting no on the issue.

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

**Nay:** 7 - Mayor Weiers, Vice Mayor Hugh, Councilmember Aldama, Councilmember Clark, Councilmember Malnar, Councilmember Tolmachoff, and Councilmember Turner

The City Council recessed at 8:50 p.m.

The City Council reconvened at 9:00 p.m.

## ORDINANCES

### 17. [16-671](#)

#### ORDINANCE NO. O17-02

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE EXECUTION OF AN IRRIGATION EASEMENT IN FAVOR OF SALT RIVER PROJECT AGRICULTURAL IMPROVEMENT AND POWER DISTRICT LOCATED ON DISCOVERY DRIVE WEST OF 79TH AVENUE; DIRECTING THE CITY CLERK TO RECORD A CERTIFIED COPY OF THIS ORDINANCE; AND DECLARING AN EMERGENCY.

Staff Contact: Jack Friedline, Director, Public Works

Ms. Bower read Ordinance No. O17-02.

Mr. Friedline said the item was a request to adopt an ordinance granting a new irrigation easement to Salt River Project (SRP) in the Discovery Drive alignment west of 79th Avenue, and declaring an emergency to provide for the changes to be effective January 11, 2017, which coordinated with the SRP dry up. SRP was going to pipe an open irrigation ditch south of Discovery School, which would be located in the Discovery Drive alignment. SRP was requesting an irrigation easement in order to construct the structure within the Discovery Drive right-of-way. Staff recommended granting the irrigation easement.

Mayor Weiers asked if this was considered an emergency because of the dry up.

Mr. Bailey said when an ordinance was passed as an emergency, it was effective immediately.

Councilmember Turner asked if time was of the essence.

Mr. Friedline said yes it was because it was perceived as a safety issue for the school.



Councilmember Clark said this was the canal dry up period for this side of the valley and SRP would like to get this ditch covered before irrigation water begins flowing again.

Mayor Weiers said that was why he asked if it was because of the dry up.

Councilmember Turner asked if this was something they were trying to accomplish during the dry up period.

Mr. Friedline said yes it was.

Councilmember Turner was not in favor of declaring an emergency to preclude the public from doing a referendum and he did not want items to come before Council that were not timely.

Mr. Bailey said it was not to prohibit anyone from participating. If staff didn't declare an emergency, they had to wait 30 days until the ordinance was effective, and they would lose the window to perform the work during the dry up season.

Councilmember Turner would like to know up front what the emergency was and agreed it was important to get that done during the dry up.

Mayor Weiers said he felt the same way, but didn't like the word "emergency."

**A motion was made by Councilmember Clark, 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 Clark, Councilmember Malnar, Councilmember Tolmachoff, and Councilmember Turner

**18. [16-672](#)**

**ORDINANCE NO. O17-03**

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE EXECUTION OF A WARRANTY DEED FOR RIGHT OF WAY LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF 59TH AND NORTHERN AVENUES AND DIRECTING THE CITY CLERK TO RECORD A CERTIFIED COPY OF THIS ORDINANCE.

Staff Contact: Jack Friedline, Director, Public Works

Ms. Bower read Ordinance No. O17-03.

Mr. Friedline said the item was a request to adopt an ordinance accepting a right-of-way along southbound 59th Avenue near Northern Avenue and along westbound Northern Avenue west of 59th Avenue. Frances and Sons, LLC, the owner of a proposed commercial development at the northwest corner of 59th Avenue and Northern Avenue was required to construct street improvements to meet current street arterial design requirements. Frances and Sons, LLC had agreed to dedicate additional right-of-way to maintain this portion. The execution of the warranty deed allowed the City to incorporate upgrade of the signal system at the intersection, which included flashing yellow left turn signals on all four lanes of the intersection and complied with the timeline for an ADOT grant. Staff recommended accepting the additional right-of-way along 59th Avenue and Northern Avenue.

Councilmember Turner thanked Mr. Frances for expediting the dedication in a timely

manner to improve safety at that intersection.

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

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

**19. [16-673](#) ORDINANCE NO. O17-04**

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE EXECUTION OF AN IRRIGATION EASEMENT IN FAVOR OF SALT RIVER PROJECT AGRICULTURAL IMPROVEMENT AND POWER DISTRICT LOCATED ON 59TH AND OLIVE AVENUE INTERSECTION AND DIRECTING THE CITY CLERK TO RECORD A CERTIFIED COPY OF THIS ORDINANCE AND SAID EASEMENT AND DECLARING AN EMERGENCY.

Staff Contact: Jack Friedline, Director, Public Works

Ms. Bower read Ordinance No. O17-04.

Mr. Friedline said the item was a request to adopt an ordinance granting an irrigation easement in favor of Salt River Project (SRP) at the 59th Avenue and Olive Avenue intersection and declaring an emergency with reference to time being of essence in constructing the irrigation structure during SRP's seasonal dry up and to provide for the changes to be effective on January 11, 2017. The City would be constructing bus pullouts and right turn lanes within the right-of-way in order to increase travel capacity at the intersection in the future. To construct the improvements, SRP must upgrade their piping and required the City to provide a new irrigation easement to maintain and protect its facilities. Staff recommended granting the irrigation easement and the City would be able to construct a bus pullout and right turn lane over the SRP irrigation facilities.

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

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

**NEW BUSINESS**

**20. [16-569](#) COUNCIL SELECTION OF VICE MAYOR**

Staff Contact: Brent Stoddard, Director, Public Affairs

Councilmember Malnar made a motion, seconded by Councilmember Clark, to nominate Ian Hugh as Vice Mayor.

Councilmember Turner said he had previously raised the question of rotating the position of Vice Mayor, to give all Councilmembers the opportunity to serve in that role. He said several reporters thought he was campaigning for the position. He explained that was not his intent. He just wanted the Council to take a look at the policy which he believed had been detrimental to Councils in the past and wanted to prevent that from happening again. He asked the Council to keep an open mind and perhaps address the issue in the near future.

Councilmember Clark agreed with Councilmember Turner's remarks and said everyone had the necessary qualifications to serve as Vice Mayor. She said there had never been a rotating system to serve as Vice Mayor in the history of the city. She said the person serving as Vice Mayor had to enjoy the trust of everyone on the Council and Vice Mayor Hugh had worked hard to maintain good relationships with everyone on the Council. She said they had to be careful of the consequences of establishing a system without giving any thought to the intangibles.

Councilmember Aldama said revolving the position should come voluntarily and encouraged the Council to diversify the position as it was ceremonial. He felt every one of his colleagues were qualified for the position.

Councilmember Turner said he wasn't sure that the Council never had a policy that rotated the title of Vice Mayor among the Councilmembers, and said there were other cities across the valley which selected a Vice Mayor in various ways. He said there might be a better way to do it.

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

**Aye:** 7 - Mayor Weiers, Vice Mayor Hugh, Councilmember Aldama, Councilmember Clark, 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 Clark, to hold the next regularly scheduled City Council Workshop on Tuesday, January 17, 2017 at 1:30 p.m. in the City Council Chambers, to be followed by an Executive Session pursuant to A.R.S. 38-431.03. The motion carried by the following vote:**

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

#### **COUNCIL COMMENTS AND SUGGESTIONS**

Councilmember Aldama thanked the Police Department for their work in the community. In October of 2016, Officer Lacey Tolbert submitted a request to the Channel 3 surprise squad. The children from the Roots Program in the Ocotillo District, received many gifts and electronics they might never have received. He thanked Officer Tolbert and the Police Department for engaging in the community.

Councilmember Clark announced a district meeting on Thursday, February 2, 2017 at Desert Mirage Elementary School, 8600 W. Maryland Avenue. She encouraged everyone to save the date to attend the meeting.

Councilmember Malnar thanked residents of the Sahuaro District who came out tonight as well as those residents who had volunteered to be on the Sahuaro District Advisory Committee. Another meeting would be held on January 26th and emails would be going out. He said anyone from the district was eligible to be on the committee.

Councilmember Turner said the 54th Annual Juried Arts Show was on display in the gallery at Sahuaro Ranch Park daily from 10 a.m. to 5 p.m. The show ran through January 29th. He encouraged everyone to come out and enjoy the art. He also said the

Glendale Downtown Farmer's Market was on the 2nd and 4th Saturday of each month from 8 a.m. to noon. He said the location was moving to the parking lot at 59th and Myrtle.

Councilmember Tolmachoff invited all Glendale residents to a shred event hosted by Councilmember Tolmachoff and Councilmember Malnar on February 11th from 8 a.m. to 11 a.m. Donations were limited to five banker boxes and when the trucks were full, the event would be concluded. The event would be held at the Foothills Library parking lot.

Vice Mayor Hugh thanked everyone for their vote tonight.

Mayor Weiers said about 300 people were fed at the Wings of Peace held by Louise Pennitz and the Knights of Columbus. He challenged the entire Council to go down as a group one day and serve lunch. He said they really helped the citizens and he would like to see them get some help from the organization From the Heart. He thanked everyone for attending the meeting.

## **ADJOURNMENT**

The City Council adjourned at 9:26 p.m.