

# City of Glendale

5850 West Glendale Avenue  
Glendale, AZ 85301



## Meeting Minutes - Final

Tuesday, January 27, 2015

6:00 PM

Voting Meeting

Council Chambers

### City Council

*Mayor Jerry Weiers*

*Vice Mayor Ian Hugh*

*Councilmember Jamie Aldama*

*Councilmember Samuel Chavira*

*Councilmember Gary Sherwood*

*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 Gary Sherwood, Councilmember Lauren Tolmachoff, and Councilmember Bart Turner

*Also present were Brenda Fischer, City Manager; Julie Frisoni, Assistant City Manager; Jennifer Campbell, Assistant City Manager; Michael Bailey, City Attorney; Pamela Hanna, City Clerk; and Darcie McCracken, Deputy City Clerk.*

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

*The invocation was offered by Pastor Jay Shawler from Community Church of Joy.*

**APPROVAL OF THE MINUTES OF JANUARY 13, 2015**

1. [15-089](#) APPROVAL OF THE MINUTES OF JANUARY 13, 2015  
Staff Contact: Pamela Hanna, City Clerk

**A motion was made by Councilmember Tolmachoff, 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 Sherwood, Councilmember Tolmachoff, and Councilmember Turner

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

**PRESENTED BY: Vice Mayor Ian Hugh**

2. [15-064](#) BOARDS, COMMISSIONS & OTHER BODIES  
Staff Contact: Brent Stoddard, Director, Intergovernmental Programs

**A motion was made by Vice Mayor Hugh, 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 Sherwood, Councilmember Tolmachoff, and Councilmember Turner

**PROCLAMATIONS AND AWARDS**

3. [15-050](#) PROCLAIM FEBRUARY 25, 2015 THROUGH FEBRUARY 25, 2016 AS GLENDALE MUNICIPAL WATER SERVICE CENTENNIAL YEAR  
Staff Contact: Craig Johnson, P.E., Director, Water Services  
Presented By: Office of the Mayor

Accepted By:

Mr. Ronald Short, Chairman, Water Services Advisory Commission/  
President of the Glendale Arizona Historical Society

Mr. Timothy O'Day, Glendale Water Services Department retiree

Mr. John Wilster, Glendale Water Services Department employee

Mr. Ed Sine, Mr. Max Sine, and Mr. Sean Sine, of the Sine family

*Mayor Weiers proclaimed February 25, 2015 through February 25, 2016 as Glendale Municipal Water Service Centennial Year.*

*Mr. Ron Short spoke a few words accepting the proclamation.*

4. [15-068](#)

PROCLAIM FEBRUARY 2015 AS AFRICAN AMERICAN HISTORY MONTH

Staff Contact: Office of the Mayor

Presented By: Office of the Mayor

Accepted By: Mr. Robert Ashby, original member of the Tuskegee Airmen, along with Mr. Bill Norwood, Mr. Richard Toliver, and Mr. David Toliver, current and former Presidents of the Archer-Ragsdale Arizona Chapter of the Tuskegee Airmen

*Mayor Weiers proclaimed February 2015 as African American History Month.*

*Mayor Weiers asked Robert Ashby to come to the front and said he was one of the original members of the Tuskegee Airmen. He also introduced Bill Norwood, Richard Toliver, David Toliver, current and former Presidents of the Archer-Ragsdale Arizona Chapter of the Tuskegee Airmen.*

*Mayor Weiers spoke about Robert Ashby's life and military service. He also said he was hired as the first African American pilot by Frontier Airlines.*

*Mayor Weiers took a five minute recess for staff and the audience to meet with the Tuskegee Airmen.*

*The meeting took a Recess.*

*The meeting Reconvened.*

**CONSENT AGENDA**

*City Manager Brenda Fischer read agenda item numbers 5 through 18.*

*City Clerk Pamela Hanna read consent agenda resolution item numbers 19 through 21 by number and title.*

*Councilmember Turner requested Items 9 and 15 be heard separately.*

5. [15-081](#)

APPROVE SPECIAL EVENT LIQUOR LICENSE, HEART FOR THE CITY

Staff Contact: Susan Matousek, Revenue Administrator

**This agenda item was approved.**

6. [15-047](#)

APPROVE LIQUOR LICENSE NO. 3-0864 WAL-MART SUPERCENTER

#3465

Staff Contact: Susan Matousek, Revenue Administrator

**This agenda item was approved.**

7. [15-048](#) APPROVE LIQUOR LICENSE NO. 3-0847 WAL-MART SUPERCENTER #3241

Staff Contact: Susan Matousek, Revenue Administrator

**This agenda item was approved.**

8. [15-053](#) AUTHORIZATION TO APPROVE THE PURCHASE OF ANNUAL MAINTENANCE SUPPORT FROM TCS AMERICA, INC. FOR THE TAX MANTRA SYSTEM

Staff Contact: Tom Duensing, Director, Finance and Technology

**This agenda item was approved.**

10. [15-055](#) AUTHORIZATION TO ENTER INTO A LINKING AGREEMENT WITH LZ DELTA, LLC AND APPROVE THE PURCHASE OF TWO FULLY-EQUIPPED POLICE MOTORCYCLES AND RELATED MOTORCYCLE SAFETY EQUIPMENT FOR THE GLENDALE POLICE DEPARTMENT UTILIZING AN ARIZONA STATE PURCHASING COOPERATIVE CONTRACT

Staff Contact: Debora Black, Police Chief

**This agenda item was approved.**

11. [15-056](#) AUTHORIZATION TO ENTER INTO A LINKING AGREEMENT WITH DON SANDERSON FORD, INC. AND APPROVE THE PURCHASE OF A CRIME SCENE RESPONSE VEHICLE FOR THE GLENDALE POLICE DEPARTMENT UTILIZING AN ARIZONA STATE PURCHASING CONTRACT

Staff Contact: Debora Black, Police Chief

**This agenda item was approved.**

12. [15-038](#) AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH WEST COAST ARBORISTS, INC. FOR PALM TREE TRIMMING SERVICES

Staff Contact: Jack Friedline, Director, Public Works

**This agenda item was approved.**

13. [15-040](#) AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH DICK & FRITSCHER DESIGN GROUP, INC. FOR THE FINAL DESIGN OF A TRANSIT CENTER AT ARROWHEAD TOWNE CENTER

Staff Contact: Jack Friedline, Director, Public Works

**This agenda item was approved.**

14. [15-042](#) AUTHORIZATION TO AMEND A PROFESSIONAL SERVICES AGREEMENT WITH ARRINGTON WATKINS ARCHITECTS, LLC FOR THE GLENDALE MUNICIPAL LANDFILL SCALE HOUSE RELOCATION PROJECT  
Staff Contact: Jack Friedline, Director, Public Works  
**This agenda item was approved.**
16. [15-044](#) AUTHORIZATION TO ENTER INTO A LINKING AGREEMENT WITH PROGRESSIVE SERVICES INC., dba PROGRESSIVE ROOFING, FOR ROOFING REPAIRS AT CITY FACILITIES  
Staff Contact: Jack Friedline, Director, Public Works  
**This agenda item was approved.**
17. [15-077](#) RATIFY LICENSE AGREEMENT WITH INWINDOW OUTDOOR, LLC FOR SUPER BOWL ADVERTISING ON THE GLENDALE MEDIA CENTER  
Staff Contact: Jean Moreno, Program Administrator, Office of Economic Development  
**This agenda item was approved.**
18. [15-078](#) RATIFY LICENSE AGREEMENT WITH OUTLETS AT WESTGATE, LLC FOR THE USE OF CITY PROPERTY FOR TANGER EMPLOYEE PARKING RELATED TO PRO BOWL AND SUPER BOWL  
Staff Contact: Jean Moreno, Program Administrator, Office of Economic Development  
**This agenda item was approved.**

#### CONSENT RESOLUTIONS

19. [15-051](#) AUTHORIZATION TO ENTER INTO AN ARIZONA MUTUAL AID COMPACT WITH THE ARIZONA DEPARTMENT OF EMERGENCY AND MILITARY AFFAIRS AND ALL SIGNATORIES  
Staff Contact: Mark Burdick, Fire Chief  
  
*RESOLUTION NO. 4915 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 AN ARIZONA MUTUAL AID COMPACT WITH THE ARIZONA DEPARTMENT OF EMERGENCY AND MILITARY AFFAIRS FOR MUTUAL AID FROM AND/OR FOR PARTICIPATING JURISDICTIONS, WITHIN THE STATE OF ARIZONA, FOR EMERGENCY ASSISTANCE.*  
**This agenda item was approved.**
20. [15-065](#) ADOPT A RESOLUTION PROMULGATING THE REVISED 2015 EMERGENCY OPERATIONS PLAN  
Staff Contact: Mark Burdick, Fire Chief  
  
*RESOLUTION NO. 4916 NEW SERIES WAS READ BY NUMBER AND TITLE ONLY,*

*IT BEING A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, ADOPTING THE 2015 CITY OF GLENDALE, ARIZONA EMERGENCY OPERATIONS PLAN; AUTHORIZING THE MAYOR TO EXECUTE THE APPROVAL AND IMPLEMENTATION; AND AUTHORIZING THE MAYOR TO EXECUTE A LETTER OF PROMULGATION.*

**This agenda item was approved.**

**21. [14-491](#) AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH STRENGTH TRAINING INCORPORATED FOR OCCUPATIONAL HEALTH MEDICAL SERVICES**

Staff Contact: Mark Burdick, Fire Chief

*RESOLUTION NO. 4917 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 OF AN AGREEMENT FOR OCCUPATIONAL AND MEDICAL SERVICES AND LICENSE AGREEMENT WITH STRENGTH TRAINING, INC. FOR THE USE OF CITY-OWNED PROPERTY COMMONLY KNOWN AS THE HEALTH CENTER AT THE GLENDALE REGIONAL PUBLIC SAFETY TRAINING CENTER LOCATED AT 11550 WEST GLENDALE AVENUE.*

**This agenda item was approved.**

Approval of the Consent Agenda

**A motion was made to approve the recommended actions on Consent Agenda Item Numbers 5 through 8 and 101 through 14, and 16 through 21. The motion carried by the following vote:**

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

**9. [15-066](#) CITY TECHNOLOGY INFRASTRUCTURE AND EQUIPMENT MANAGEMENT**

Staff Contact: Tom Duensing, Director, Finance and Technology

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

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

**Nay:** 1 - Councilmember Sherwood

*Mr. Duensing said this item would increase expenditure authority by \$202,000 per year to consolidate city wide purchases under one agreement. He explained the city gets its personal computer replacement program, the server replacements and maintenance on these. He said this is to get the IT department back to where it needs to be.*

*Councilmember Turner said this is a large sum of money and he would like to have a bigger briefing about this item. He is also concerned about delaying replacing equipment.*

*Councilmember Turner made a motion to allow this item for the balance of this fiscal year, but not extend the contract further until it has come before Council in a workshop for additional discussion.*

*Councilmember Aldama seconded the motion.*

*Mr. Bailey said staff does not bring agreements before Council for approvals that are not already approved by the third party and he said there is delay between when the item is negotiated and confirmed. He said if they change the terms of the contract and if the other party does not find that term acceptable, the city would no longer have a contract. He said the agreement before Council has been signed by the outside party and agreed upon. If Council wished to change the contract, staff would need to seek approval from the outside party for those changes.*

*Councilmember Turner asked for confirmation that the city does have contracts with Insight that run through the end of the fiscal year.*

*Mr. Duensing said the term of the addendum is effective July 1, 2015 and the subsequent 4 years. He said it was his understanding there is a current contract in place.*

*Mr. Bailey said the extension would be beyond this fiscal year.*

*Councilmember Turner said since there is a contract in place now and the amendment doesn't take effect until July 1st, he asked if this item could come to a workshop for further discussion.*

*Mr. Duensing said delaying this item would not bring processes to a halt, but might delay certain projects. He said staff could bring this to a workshop for further discussion.*

*Councilmember Turner withdrew his previous motion and made a new motion to table this item until it has come before Council in a workshop.*

**15. [15-043](#)**

**AUTHORIZATION TO ENTER INTO A LINKING AGREEMENT WITH DIVERSIFIED FLOORING SERVICES-PHOENIX LLC FOR CARPET REPLACEMENT AT CITY FACILITIES**

**Staff Contact: Jack Friedline, Director, Public Works**

*Mr. Friedline said this is a request to enter into a cooperative linking agreement for carpeting replacement in city facilities, specifically at the city court and main library.*

*Councilmember Turner said he called this item to be heard separately to share with the public what is being done. He explained the previous Council moved money out of contingency into a fund used for maintenance on city facilities. He said tonight they are approving those actions. He said the money is going to the main library and city court to upgrade conditions for the citizens and staff. He is glad to see this happening.*

*James Deibler, a Phoenix resident, said many customers visit the library every day. He said it is a good idea to approve this item and he would like to see the flooring fixed.*

**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 Sherwood, Councilmember Tolmachoff, and Councilmember Turner

## NEW BUSINESS

### 22. [15-110](#)

#### Form License Agreement

Staff Contact: Michael D. Bailey, City Attorney

*Mr. Bailey introduced a form license agreement for utilization of city property for the upcoming Super Bowl events. He asked for Council approval of this form license agreement so staff can respond to these requests, and he asked for flexibility to do so until February 15, 2015 and staff will report back as to what licenses were executed. He said the form and insurance are the same as they generally utilize and the fees are the same. He said they are bringing this forward at this meeting because it is the last meeting before the Super Bowl.*

*Councilmember Tolmachoff asked if any of agreements involve retail and are they going to be collecting city sales tax.*

*Mr. Bailey said at this time, staff does not know and the form is just for use of city property, for ingress and egress of property. He said he did not think these would be for retail use.*

*Councilmember Tolmachoff asked if they asked those questions as part of the application process.*

*Mr. Bailey said they usually do ask those questions, but that is not the basis upon which they would grant these licenses.*

*Councilmember Tolmachoff asked if vendors pay city sales tax if they sell items on city property.*

*Mr. Bailey said if a vendor was selling something, they would be required to have a license and would be required to pay tax on that. He said they do not foresee that type of use for this form license agreement.*

*Councilmember Tolmachoff said most vendors from out of state do not have a license to pay sales tax in Glendale.*

*Mr. Bailey said most of the property they are dealing with is around the stadium area and most of those activities have already been addressed.*

*Councilmember Chavira clarified that this was for ingress and egress in case the footprint has to be extended to accommodate extra traffic.*

*Mr. Bailey said that was part of it. He also provided another example of a vendor who wanted exclusive use of city property to market their approved items. He said the city could charge a fee for the vendor to do that and that is what this item is geared toward. He explained they are only presenting this item because this is the only opportunity to get Council approval before the Super Bowl.*

*Councilmember Chavira said this adds to the cohesiveness of the events taking place in the city this week.*



**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 Sherwood, Councilmember Tolmachoff, and Councilmember Turner

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

**A motion was made by Vice Mayor Hugh, seconded by Councilmember Aldama, to hold a special Budget Workshop on Tuesday, February 3, 2015 at 9:00 a.m. in room B-3 of the City Council Chambers. It was additionally moved that we hold the next regularly scheduled City Council Workshop on Tuesday February 3, 2015 at 1:30 p.m. in room B-3 of the City Council Chambers, to be followed by an executive session pursuant to A.R.s. 38-431.03. It was lastly moved to hold a special City Council workshp meeting on Thursday, February 12, 2015 at 9:00 a.m. in room B-3 of the City Council Chambers. The motion carried by the following vote:**

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

#### **CITIZEN COMMENTS**

*Cherlynn Berry, a Sahuaro resident, provided a handout for the Council and said her business is a nonprofit organization to help animals and children affected by the economic downturn. She said their current project is to put vests on the police dogs. She said they asked for extra vendors at the special city events to do their fundraisers. They usually do their fundraisers on private property. She explained the last three years, they have done their fundraiser in the Walmart parking lot with no problem and the permit always extended over into the Glitter & Glow. She said they were shut down and told this year that their permit did not extend over to the Glitter & Glow. She explained her situation of obtaining permits and said there were communication issues between Planning and Zoning, Code and the Special Events departments. She said this has become a big issue. She said permits were finally issued for the Chocolate Affaire, and included with that was a three page letter of items they needed to address. She also mentioned that the permits were only good until June and additional nonprofit monies would have to be spent to obtain additional permits. She also spoke about city staff unprofessionalism.*

*Arthur Thruston, a Cactus resident, said they have a new Council and wished everyone a happy New Year. He spoke about a Santa Claus helper and a Christmas parade, and the Glitter & Glow. He thanked the Council for putting on such wonderful events. He also spoke about Michael Bidwell and Mayor Weiers and said the Mayor has done wonderful things.*

*William Demski, a Saguaro resident, spoke about putting body cameras on police officers. He spoke about incidents where he was injured and no police reports were taken. He spoke about the investigation into the incident and the fact the officers were exonerated. He said the police officers lied and said body cameras are necessary. He also spoke about Deborah Milked and her case. He said the bad apples are tarnishing the reputation of the police department.*

*James Deibler, a Phoenix resident, said the city made a mistake by building the hockey arena. He said the money should be used to fight crime, remove graffiti and help disabled people to become independent. He said the city should not charge*

*photographers taking pictures in Saguaro Ranch Park. He said a lot of disabled people go to GCC to improve.*

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

*Councilmember Aldama reminded everyone he was hosting at the Glendale Women's Club on January 28, 2015 from 6 to 8 regarding urban irrigation.*

*Councilmember Chavira said it was an exciting week in the city and the eyes of the world will be on us. He mentioned the city's partners putting on concerts for the visitors. He thanked staff for their hard work in coordinating these events. He said everyone should attend and enjoy the events.*

*Councilmember Sherwood agreed with Councilmember Chavira and complimented staff for their hard work. He said visitors love what the area has to offer.*

*Councilmember Tolmachoff has Pro Bowl tickets and said it was a huge success. She was proud of the city and asked citizens to take advantage of the events this week.*

*Councilmember Turner invited residents to his first district meeting on February 11, 2015 at 6 p.m. at the Adult Center. He said staff guests for this meeting would be Sam McAllen and Jack Friedline.*

*Councilmember Hugh said the city has done a fine job on special events. He said the Chocolate Affaire is free to attend.*

*Mayor Weiers said they can't thank everyone who has assisted in planning all these events. He specifically thanked the Police and Fire Chiefs for the hard work their staff has done during the Pro Bowl.*

#### **ADJOURNMENT**

*The meeting was adjourned at 7:18 p.m.*