

MINUTES
REGULAR CITY COUNCIL MEETING
CITY COUNCIL OF THE CITY OF YUMA, ARIZONA
CITY COUNCIL CHAMBERS, YUMA CITY HALL
ONE CITY PLAZA, YUMA, ARIZONA
OCTOBER 19, 2011
5:30 p.m.

CALL TO ORDER

Mayor Krieger called the City Council meeting to order.

INVOCATION/PLEDGE

John Goetsch Jr., Pastor of Faith Baptist Church, gave the invocation. **Ken Rosevear**, Yuma County Chamber of Commerce, led the City Council in the Pledge of Allegiance.

ROLL CALL

Councilmembers Present: Stuart, Mendoza, Beeson, McClendon, Brooks, Johnson and Mayor Krieger
Councilmembers Absent: none
Staffmembers Present: City Administrator, Gregory K. Wilkinson
Various Department Heads or their representative
City Clerk, Lynda L. Bushong

FINAL CALL

Mayor Krieger made a final call for the submission of Speaker Request Forms from members of the audience.

PRESENTATIONS

Wilkinson recognized the Employees of the Quarter:

- Frontline: Stephanie "Joy" Everett, Associate Planner, Department of Community Development
- Supervisor: Oliel "Oly" Gonzales, Fleet Services Supervisor, Public Works

I. CALL TO THE PUBLIC

Anne Harrison, P.O. Box 1976, thanked the City Council for volunteering and participating in the activities at Yuma's libraries. She noted that September was "Sign Up" month at the library, which resulted in 1500 new library cards being issued. In regards to volunteers, she shared an incident with a volunteer at the Historical Society who referred to himself as "just a volunteer." She explained to the gentleman that without volunteers many services would go unfulfilled, not just in Yuma, but also across the world. She thanked the City Council for encouraging youth involvement and for displaying caring, courteous, and responsible behavior. Lastly, she stated that this country was born on farming and people cannot do without eating and learning, and feels that teachers and farmers are the most essential people in any society.

Patrick Rook, 2254 Chico Lane, stated that he and his wife own and operate the Barney's gas stations and convenience stores within the City and described a recent situation with the City of

Yuma in preparation of getting a car wash into working order. He stated that he felt the predevelopment meeting covered all angles with the exception of Sewer Capacity fees, which were not discussed. Upon applying for a new water meter, he learned that the Sewer Capacity fees, based upon the projected water usage, would be \$229,000, which is more than what it will cost him to revamp the existing car wash. Since then, he learned the City overbuilt on the new water treatment plant, and everyone has to pay \$20/gallon that goes down the drain - even if his or her waste doesn't go to that location. How is it that the City can impose a fee of this size before any service has been performed? It is his hope that there is a sympathetic ear within the City Council willing to review the situation.

Mayor Krieger reminded Ms. De Leon that the Call to the Public is intended for issues relative to City business and asked that she keep her comments relative to City business.

Monica De Leon, 3602 Cooke Street, stated that she is a horse racing activist who started Barbaros Guardian Angels, an organization dedicated to empowering the general public to recognize the signs of horse racing crimes. She stated her reason for speaking tonight is because she was not allowed to leave town and report to the Attorney General, Arizona Quarter Horse Association and the National Thoroughbred Racing Association crimes that she believes her neighbors committed against racing horses.

II. MOTION CONSENT AGENDA

Motion (Mendoza/McClendon): To approve the Motion Consent Agenda as recommended.
Voice vote: **approved** 7-0.

A. Approval of minutes of the following City Council meetings:

Regular City Council Meeting	July 20, 2011
Regular City Council Meeting	August 3, 2011
Regular City Council Meeting	August 17, 2011
Regular Worksession	July 5, 2011

B. Approval of Staff Recommendations:

1. Executive Sessions may be held at the next regularly scheduled Special Worksession, Regular Worksession and City Council Meeting for personnel, legal, litigation and real estate matters pursuant to A.R.S. § 38-431.03 Section A (1), (3), (4), and (7). (Attny)
2. Approve a Special Event Liquor License application submitted by Geoff Roland Montgomery, on behalf of the Ghouls Car Club, for the Ghouls Night Out event. The fundraiser will be held November 5, 2011, at Gateway Park, located at the north end of Gila Street, from 1:00 p.m. to 8:00 p.m. (SP11-31) (Admin/Clerk)
3. Approve a Special Event Liquor License application submitted by Barry Olsen, on behalf of the Caballeros de Yuma, for the Colorado River Crossing Balloon Festival.

The event will be held November 19, 2011, at Desert Sun Stadium, located at 3500 S. Avenue A, from 4:00 p.m. to 9:00 p.m. (SP11-32) (Admin/Clerk)

4. Declare as surplus and authorize sale of equipment through the online auction utilizing the cooperative purchase agreement between the City of Tucson and the City of Yuma with Public Surplus, LLC, Provo, Utah. (Bid #2007000461) (Fin/Pur)

III. RESOLUTION CONSENT AGENDA

Motion (Brooks/Beeson): To adopt the Resolution Consent Agenda as recommended.

Bushong displayed the following titles:

Resolution R2011-29

A resolution of the City Council of the City of Yuma, Arizona, repealing Resolution No. R2004-69 and Resolution No. R2009-18 and adopting the City of Yuma Emergency Operations Plan 2011
(Fire/Admin)

Resolution R2011-30

A resolution of the City Council of the City of Yuma, Arizona, supporting the Yuma County Multi-Jurisdictional Hazard Mitigation Plan 2010 and repealing Resolution No. R2005-13
(Fire/Admin)

Resolution R2011-31

A resolution of the City Council of the City of Yuma, Arizona, supporting the League of Arizona Cities and Towns and other Arizona municipalities in declaring October 24-28, 2011, 'Arizona Cities & Towns Week'
(Admin)

Roll call vote: **adopted** 7-0.

IV. ADOPTION OF ORDINANCES CONSENT AGENDA

Motion (Beeson/Mendoza): To adopt the Ordinance Consent Agenda as recommended.

Bushong displayed the following titles:

Ordinance O2011-35

An ordinance of the City Council of the City of Yuma, Arizona, relating to the Privilege License Tax; adopting the "2010-2011 Amendments to the Tax Code of the City of Yuma" by reference; establishing an effective date; providing for severability and providing penalties for violations

(2010-2011 Amendments to the Tax Code of the City of Yuma; declared public record R2011-28) (Fin/Admin)

Ordinance O2011-36

An ordinance of the City Council of the City of Yuma, Arizona, authorizing and directing that certain parcels of real property, hereinafter described, be acquired by the City of Yuma, by gift, easement, purchase or under the power of eminent domain, for the reason that such property is required to improve the public roadway and utility infrastructure and other public purposes as may be related thereto, and authorizing payment therefor, together with costs necessary for the acquisition of said parcels of real property (Acquisition of abandoned Interstate Route 8 right-of-way at Avenue 9E) (Eng)

Roll call vote: **adopted 7-0.**

V. INTRODUCTION OF ORDINANCES

Bushong displayed the following titles:

Ordinance O2011-37

An ordinance of the City Council of the City of Yuma, Arizona, amending Chapter 154 of the Yuma City Code, as amended, relating to zoning regulations and specifically providing for changes to the stacking requirements for drive-thru banks and fast food/beverage facilities and providing penalties for violations thereof (Z2011-03) (DCD/Planning)

Ordinance O2011-38

An ordinance of the City Council of the City of Yuma, Arizona, amending Chapter 154 of the Yuma City Code, as amended, rezoning certain property located in the Light Industrial (L-I) District to Light Industrial / Public Overlay (L-I/P) District and amending the zoning map to conform thereto (Property located: 2862 S. Kyla Avenue; applicants: City of Yuma) (DCD/Planning)

Ordinance O2011-39

An ordinance of the City Council of the City of Yuma, Arizona, defining and establishing criteria for the purposes of local preference as approved by the voters on May 18, 2010 (Admin)

Speaker

Ken Rosevear, Yuma County Chamber of Commerce, 180 W. 1st Street, thanked the City Council and staff for their efforts putting forth the local preference charter amendment. Upon the announcement of the Governor acceptance of the charter amendment, several phone calls were received from local business inquiring to whether or not they qualified for local preference. The Chamber of Commerce (Chamber) is happy to report that the local preference clause covers virtually all products and services that are utilized by the City. It opens a lot of doors for local businesses that were otherwise unable to bid, especially in the current economy. Local preference will help keep dollars in the community, and the Chamber will be encouraging its membership to participate in the bid process. In addition, the Chamber will be writing a series of articles that define the impact of keeping dollars local versus it leaving town, not only the impact to local businesses but the impact to public agencies as well.

VI. PUBLIC HEARINGS - none

VII. ANNOUNCEMENTS AND SCHEDULING

Beeson reported speaking at the Junior Statesman of America Association state conference held at Kofa High School about how young people can get involved in local government, and commended Kofa High School for putting together a local Junior Statesman organization. He also stated that he is growing his beard and mustache for the upcoming Arizona Centennial celebration, which will include a beard and mustache look-a-like contest.

Mendoza noted the monthly "Coffee with Mendoza" will be on Saturday, October 22 at the Coffee Bean.

McClendon noted the Yuma High School versus Kofa High School football game will be on Friday, October 28.

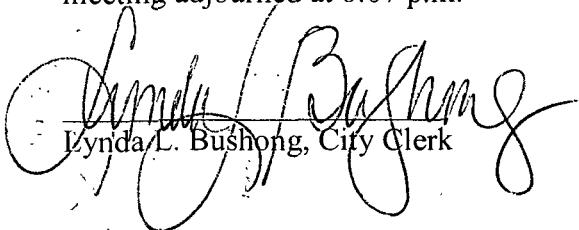
VIII. SUMMARY OF CURRENT EVENTS

Wilkinson noted that he would be on the radio with a member of the Caballeros de Yuma to talk about the upcoming El Torro Bowl.

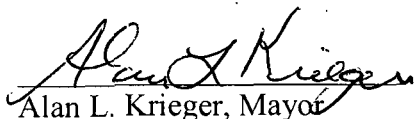
Mendoza requested a briefing on Mr. Rook's comments. **Wilkinson** stated that he met with Mr. Rook and staff is in the process of working out some issues; however, he still needs more information from staff, but once that information is received he will provide the City Council an update.

IX. EXECUTIVE SESSION/ADJOURNMENT

Motion (Beeson/Brooks): To adjourn to Executive Session. Voice vote: **approved** 7-0. The meeting adjourned at 6:07 p.m.


Lynda L. Bushong, City Clerk

APPROVED:


Alan L. Krieger, Mayor

Approved at the City Council Meeting of:
December 7, 2011
City Clerk: Lynda L. Bushong