

**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 1, 2014**  
**5:30 p.m.**

**CALL TO ORDER**

**Mayor Nicholls** called the City Council meeting to order at 5:32 p.m.

**INVOCATION/PLEDGE**

**Councilmember Thomas**, gave the invocation. **John Lekan**, Police Chief, led the City Council in the Pledge of Allegiance.

**ROLL CALL**

Councilmembers Present: Wright, Knight, Beeson, Thomas, and Mayor Nicholls  
Councilmembers Absent: McClendon and Craft  
Staffmembers Present: City Administrator, Gregory K. Wilkinson  
Various Department Heads or their representative  
City Attorney, Steven W. Moore  
City Clerk, Lynda L. Bushong

**FINAL CALL**

**Mayor Nicholls** made a final call for the submission of Speaker Request Forms for agenda related items from members of the audience.

**PRESENTATIONS**

Reading of Proclamation for "SW Arizona National Wildlife Refuges and Wilderness Month"

**Mayor Nicholls** read a proclamation in support of the National Wildlife Refuge and proclaimed October 2014 a SW Arizona National Wildlife Refuges and Wildlife Wilderness Month.

**I. MOTION CONSENT AGENDA**

**Motion** (Beeson/Knight): To approve agenda item B.6 Grant: Assistance for Firefighters as recommended. Voice vote: **approved** 4-0-1; Thomas declared a conflict of interest due to employment.

**B.5 Request for Offer/Proposal (RFO/RFP): Operation of "The Hills" Restaurant**

Wilkinson's response to questions from City Council:

- Thirty-two people downloaded the RFO/RFP, eight of which were local and one local person responded.
- The contractor will have the option of hiring those City employees currently working at "The Hills" Restaurant to continue working at his restaurant; their City employment will be terminated.

**Motion** (Beeson/Knight): To approve agenda item B.5 Request for Offer/Proposal: Operation "The Hills" Restaurant as recommended.

Discussion

- The following two areas of the agreement are pending negotiations:
  - The requirement to retain City employees for 30 days.
  - There is an issue with the liquor license at the facility. Therefore, the liquor license may temporarily, if not long term, remain under the City.
- There are things that are being put in place to accommodate employees that are not hired by the contractor.

Voice vote: **approved 5-0.**

**Motion** (Beeson/Thomas): To approve the remainder of the Motion Consent Agenda as recommended.

Voice vote: **approved 5-0.**

A. Approval of minutes of the following City Council meeting(s):

Regular Worksession	July 15, 2014
Regular Worksession	August 5, 2014

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 an Interim Permit/Person Transfer #7 Beer and Wine Bar, Liquor License application, submitted by Doyle William Dean McCurley, agent for Rocky's New York Style Pizzeria, L.L.C. dba Rocky's New York Style Pizzeria, located at 2601 S. 4th Avenue, Yuma, Arizona. (LL14-21) (Admin/Clerk)
3. Approve a Special Event Liquor License application submitted by Diana Griffin Phillips, on behalf of the Yuma Crossing National Heritage Area Corporation, for the 5th Annual 3:10 To Yuma Fundraiser. The fundraiser will be held at the Territorial Prison, located at One N. Prison Hill Road, on Saturday, November 8, 2014 from 5:00 p.m. to 9:00 p.m. (SP14-22) (Admin/Clerk)
4. Approve a Special Event Liquor License application submitted by Angela L. Mitchell, on behalf of the Yuma Union High School Class of 1979, for the Yuma High School Class of 1979 Reunion. The reunion will be held at the Gowan building, located at 370 S. Main Street, on Friday, October 10, 2014 from 6:00 p.m. to 12:00 a.m. and Saturday, October 11, 2014 from 6:00 p.m. to 12:00 a.m. (SP14-23) (Admin/Clerk)
5. Authorize the City Administrator to negotiate and execute a five-year contract to operate "The Hills" Restaurant Patio & Bar on behalf of the City of Yuma to: Frank's Family Dining of Yuma, LLC, Yuma, Arizona. (P&R - RFO #2015-20000026)

6. Authorize execution of all documents necessary for acceptance of the Assistance to Firefighters Grant which is a regional grant award for the purpose of purchasing Self-Contained Breathing Apparatus (SCBA) and necessary accessories. (YFD/Admin)
7. Approve the preliminary and final plat for the Tuscan Medical and Professional Plaza Subdivision, Phase 2. The property is located at the southwest corner of 28th Street and 21st Drive, Yuma, AZ. The applicant is Edais Engineering, on behalf of Tuscan Holdings LLC. (SUBD-6756-2014) (CD/Planning)

**II. RESOLUTION CONSENT AGENDA - NONE**

**III. ADOPTION OF ORDINANCES CONSENT AGENDA**

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

**Bushong** displayed the following title(s):

**Ordinance O2014-29**

**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, providing for changes to the zoning code to add regulations for accessory structures, to permit accessory structures within certain identified residential zoning districts, and providing penalties for violations thereof**  
(Zoning Code Text Amendment: Accessory Structures) (CD/Planning)

Roll call vote: **adopted** 5-0.

**IV. INTRODUCTION OF ORDINANCES – NONE**

**V. DISCUSSION AND POSSIBLE ACTION ON “NO WAL MART OF 8<sup>TH</sup> STREET” REFERENDUMS**

**Motion** (Thomas/Beeson): To recess to Executive Session. Voice vote: **approved** 5-0.

Speakers

**Rod Tande**, 2700 W 8<sup>th</sup> Street, in Wintergardens Co-op, spoke in favor of having a Wal Mart on 8<sup>th</sup> Street and stated he feels this is a progressive step in the right direction for the City.

**Mary Carlson**, 2700 W 8<sup>th</sup> Street Sp 96, in Wintergardens Co-op, spoke in favor of having a Wal Mart on 8<sup>th</sup> Street, stating the current area is an eye-sore and the new project will increase the value of the surrounding area..

**Gene Gregg**, 712 S. Vaughn Avenue, spoke in favor of having a Wal Mart on 8<sup>th</sup> Street, stating it will save the residents in the area from having to go across town and get grocery items and will be an economical benefit for the area.

**Motion** (Beeson/Knight): To submit to the qualified electors at the March 10, 2015 Spring Election Ordinance O2014-15 reverting the zoning of property located at 2545 W. 8<sup>th</sup> Street from the High Density Residential (R-3) District to its former Limited Commercial/Aesthetic Overlay (B-1/AO) District and Resolution R2014-23 amending the General Plan from High Density Residential to Mixed Use for the same property, and the City Administrator shall direct the City Clerk to prepare the Call of Election for both items at the Regular City Council Meeting of October 15, 2014. Voice vote: **approved 5-0.**

## VI. PUBLIC HEARINGS – NONE

### FINAL CALL

**Mayor Nicholls** made a final call for the submission of Speaker Request Forms from members of the audience for the Call to the Public agenda item.

## VII. APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

### Appointments

**Motion** (Knight/Thomas): To re-appoint Sean Kerley, Brandon Lee and Fowler Malone to the Residential Advisory Board with term expirations of December 31, 2018. Voice vote: **approved 5-0.**

### Announcements

Councilmembers Beeson, Mayor Nicholls, and Knight reported on several events they attended.

### Scheduling

**Wright** requested a report from the Yuma Police Department (YPD) to discuss if security needs to be tightened at City Hall or the City Council Meetings. **Wilkinson** stated that YPD recently completed an assessment of the security needs at City Hall but the results of the assessment is not information that should be released to the public. In regards to the security in the Council Chambers a meeting with City Council can be arranged to discuss what they think is necessary.

**Motion** (Knight/Beeson): To schedule a Special Worksession/Roundtable to be held in Conference Room #190 at City Hall on Tuesday, October 21, 2014 at 5:30 p.m. Voice vote: **approved 5-0.**

**Motion** (Beeson/Knight): To schedule a Special Worksession/Roundtable to be held in Conference Room #190 at City Hall on Tuesday, October 28, 2014 at 5:30 p.m. Voice vote: **approved 5-0.**

## VIII. SUMMARY OF CURRENT EVENTS

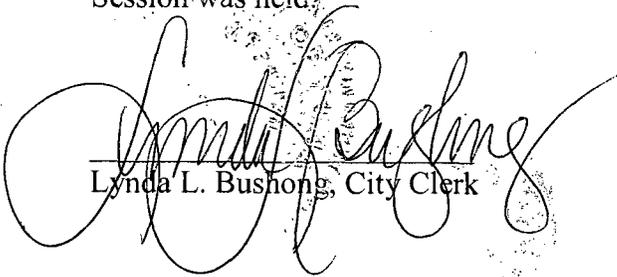
**Wilkinson** announced various upcoming events, and further asked for prayers for a speedy recovery for YPD Officer Zaragoza.

**IX. CALL TO THE PUBLIC**

**Ken Rosevear**, 4655 W Sun Down Drive, [retiring Director of the Yuma Chamber of Commerce] thanked past and current City Council and City staff for the opportunity to work with the City on various projects over the past 16 years. **Mayor Nicholls** and **Wilkinson** thanked Rosevear for all his contributions to the Yuma community.

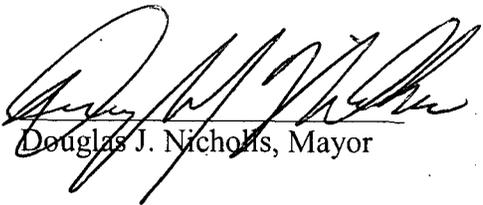
**X. EXECUTIVE SESSION/ADJOURNMENT**

There being no further business, **Mayor Nicholls** adjourned the meeting at 6:39 p.m. No further Executive Session was held.



Lynda L. Bushong, City Clerk

APPROVED:



Douglas J. Nicholls, Mayor

Approved at the City Council Meeting of: <u>February 18, 2015</u>
City Clerk: <u>[Signature]</u>