

**MINUTES OF THE REGULAR MEETING OF
THE ELOY CITY COUNCIL
CITY OF ELOY
595 NORTH C STREET
JULY 10, 2023
6:00 P.M.**

Staff Present: David Malewitz-City Manager; Stephen R. Cooper-City Attorney; Mary Myers-City Clerk; Brian Jerome-Police Captain; Chad Price-Community Services Manager; Brian Wright-Finance Director; Sylvia Payne-HR Director; Jon Vlaming-Community Development Director

I. CALL TO ORDER

Mayor Micah Powell called the meeting to order at approximately 6:01 p.m.

II. ROLL CALL

Council Members Present: Mayor Micah Powell, Vice Mayor Sylvia Guanajuato Rodriguez, Councilmember Andy Sutton, Councilmember Sara Curtis, Councilmember Dan Snyder, **Councilmember Jose Garcia*, Councilmember Michelle McKinley-Tarango
**Left the meeting at approximately 6:25 p.m.*

Council Members Absent: None

III. INVOCATION

Pastor Donna Vande Kieft gave tonight's invocation.

IV. PLEDGE OF ALLEGIANCE

Councilmember Curtis led the Council and the public in the Pledge of Allegiance.

V. PUBLIC APPEARANCES

A. Scheduled

Legislative Update - Arizona State House of Representatives Teresa Martinez

Representative Martinez briefed the Council and the public on legislative bills that were passed during the legislative session. She highlighted bills she specifically

targeted for Eloy and surrounding communities in her district. Representative Martinez invited the Council to contact her anytime and that she looked forward to growing her partnership with Eloy.

B. Unscheduled - None

VI. REPORTS AND ANNOUNCEMENTS

A. Council Member Announcements - None

B. Mayor Announcements

Mayor Powell commended the Community Services department staff for another great 4th of July bash. He asked Mr. Price to pass his compliments on to the staff.

C. City Manager Announcements

Mr. Malewitz made the following announcements:

- The tree project on Frontier Street should be completed in a couple of weeks.
- Residents can now schedule bulk trash pick up through the city's website instead of contacting public works. He said since implementation of this, there has been a significant decrease in phone calls to public works. Mr. Malewitz said this has freed up more time for staff to be more productive and work on other projects.
- The reduced restaurant and bar tax rate will go into effect August 1. Letters have gone out to local businesses about the new rate. Mr. Malewitz stated that the city's consolidated rates and fees schedule will also go in effect this date.
- He will be out of the office Wednesday through Friday, attending the ACMA conference in Tucson.

VII. ADMINISTRATION OF THE LOYALTY OF OATH TO COUNCIL-APPOINTEE ANDREW SUTTON

The city clerk swore in Council appointee, Andrew Sutton as councilmember.

Councilmember Sutton thanked the Council for the appointment, his wife for her constant support, and his friends who encouraged him to seek out the seat. He told the Council that he looks forward to working and learning from each of them and serving the people of Eloy.

VIII. CONSENT AGENDA

- A. Approval of Minutes: 6/26//2023 (regular) & 6/29/2023 (special)
- B. Authorization to award the contract to Danson Construction, LLC, Phoenix, Arizona, for ADA improvements to Jones Park via Job Order Contract# 20-08-25 and financed through FY22 CDBG Pinal County Sub-recipient Agreement # 2022-4.
- C. Authorization to award a contract to Elite Sports Builders for the construction of a basketball court, installation of lights, and basketball poles at Jones Park via Job Order Contract# 19-17PV-01 and financed through FY22 CDBG Pinal County Sub-recipient Agreement # 2022-4

Mayor Powell asked Council if there were any corrections, comments or item(s) to remove from the Consent Agenda.

With there being none, Mayor Powell called for a motion.

Motion by Councilmember Snyder, seconded by Vice Mayor G. Rodriguez to approve the Consent Agenda items as presented, passed unanimously by roll call vote (6-0).

IX. BUSINESS

- A. ADOPTION OF ORDINANCE NO.: 23-947, LEVYING UPON THE ASSESSED VALUATION OF THE PROPERTY WITHIN THE CITY OF ELOY, SUBJECT TO TAXATION A CERTAIN SUM UPON EACH ONE HUNDRED DOLLARS (\$100) OF VALUATION SUFFICIENT TO RAISE THE AMOUNT ESTIMATED TO BE REQUIRED IN THE ANNUAL BUDGET, LESS THE AMOUNT ESTIMATED TO BE RECEIVED FROM OTHER SOURCES OF REVENUE; PROVIDING FUNDS FOR VARIOUS BOND REDEMPTIONS, FOR THE PURPOSE OF PAYING INTEREST UPON BONDED INDEBTEDNESS AND PROVIDING FOR FUNDS FOR GENERAL MUNICIPAL EXPENSES; ALL FOR FISCAL YEAR ENDING THE 30TH DAY OF JUNE, 2024.**

Staff Cover Sheet Report: *Adopt Ordinance No.: 23-947 setting property tax levy for fiscal year 2023-2024.*

This is the final step in the fiscal year 2023-2024 budget process. On June 29, 2023, a public hearing was held on the property tax levy. No comments were made at this public hearing. Upon approval of Ordinance 23-947, staff will send the Ordinance to the Pinal County Board of Supervisors for their approval. The estimated tax levy is \$1.0648 per \$100 primary assessed valuation, generating \$1,372,725 annually.

FISCAL IMPACT: *The total amount generated from a primary tax rate of \$1.0648 will be \$1,372,725 annually.*

Mr. Wright gave a brief review of the proposed ordinance pertaining to the primary tax rate for FY23-24. Mr. Wright said once adopted by the Council, the ordinance would go before the Pinal County Board of Supervisors for final approval.

Mayor Powell opened the floor for questions and comments from the Council and public.

With there being none, Mayor Powell called for a motion for ready by title only.

Motion by Vice Mayor G. Rodriguez, seconded by Councilmember Snyder to read Ordinance No. 23-947 by title only, passed unanimously (6-0).

The city clerk read the ordinance title into the record.

Mayor Powell called for a motion to adopt.

Motion by Councilmember Curtis, seconded by Councilmember Tarango to adopt Ordinance No. 23-947 as presented, passed unanimously by roll call vote (6-0).

B. ADOPTION OF ORDINANCE 23-948, ADOPTING A STAFF INITIATED TEXT AMENDMENT TO THE ELOY CITY CODE, CHAPTER 21-ZONING REVISING AND AUGMENTING SECTION 21-9-1 DEFINITIONS, AS IT PERTAINS TO THE TERMS OF "HOTEL OR MOTEL" (REVISED), "GUEST ROOM" (REVISED) AND "TRANSIENT PURPOSES" (NEW). (CASE NO.: TA2023-007)

Staff Cover Sheet Report: *Council to approve a staff initiated text amendment to the Eloy City Code, Chapter 21-Zoning revising, portion of Section 21-9-1 Definitions as it pertains to HOTEL OR MOTEL (REVISED), GUEST ROOM (REVISED) AND TRANSIENT PURPOSES (NEW). (Case No.: TA2023-007).*

The Community Development Department is proposing an amendment to the text of the Eloy Zoning Ordinance that clarifies, updates, specifies changes and/or eliminates information in Chapter 21 Zoning, Article IX Definitions and Acronyms. This item was heard by the Planning & Zoning Commission and was recommended for approval on a 4-0 vote by Commissioners Paulson, Tolson, Saucedo and Crawford at their May 3, 2023 meeting with the following minor text changes: remove "Bell Hop" and change guest room served with "cooling facility" to "temperature control."

Key Zoning Code Definitions/Potential Revisions

HOTEL OR MOTEL

(EXISTING DEFINITION): *A building or group of buildings with continuous on-site management and containing nine (9) or more sleeping rooms that are occupied*

or intended or designed to be occupied as the temporary abiding place of persons who are lodged with or without meals, for compensation.

(REVISED): *A building or group of buildings consisting of guest rooms with continuous on-site management and shall provide breakfast, housekeeping, and laundry. Such a facility customarily includes a restaurant/bar, personal and retail services, conference facilities, and on-site recreation services. Such a facility shall also contain a minimum of nine (9) or more sleeping rooms that are occupied or intended or designed to be occupied as the temporary abiding place of persons who are lodged with or without meals, for compensation for a continuous time period that shall not exceed thirty (30) days.*

GUEST ROOM

(EXISTING DEFINITION): *Any room or rooms, used or intended to be used by guests on a temporary basis for sleeping purposes, having no provisions for cooking. School and college dormitories and fraternity and sorority houses are excluded.*

(REVISED): *Living quarters served with temperature control which are designed for transient purposes for periods less than thirty (30) continuous days when located in a motel, hotel, or home group care. Every one hundred (100) square feet of net floor area shall be considered to be a guest room.*

TRANSIENT PURPOSES

(NEW DEFINITION TO ORDINANCE): *Occupancy of a dwelling, guest room, or sleeping room on a temporary basis. Such a temporary basis shall be of less than thirty (30) continuous days. Residency for transient purposes requires the provision of food and housekeeping services.*

FISCAL IMPACT: *This action will not have a fiscal impact on the City.*

Mr. Vlaming reviewed the proposed amendments to the city's zoning code that would update definitions for "hotel, motel, and guest room," and adding "transient purposes" as a new definition to the code.

Mayor Powell opened the floor for questions or comments.

Councilmember Snyder asked Mr. Vlaming were hotel and motel owners located within the city limits along Interstate 10 notified of the proposed changes.

Mr. Vlaming said no; however, the proposed changes were reviewed and recommended for approved by the Planning and Zoning Commission (P&Z) at a public meeting. He said there were no comments or questions from the public.

Councilmember Curtis who serves as ex-officio to the P&Z, conveyed the amendments would make the definitions more specific, which the commission supported.

With there being no further questions or comments, Mayor Powell called for a motion to read the ordinance by title only.

Motion by Councilmember Snyder, seconded by Councilmember Tarango to read Ordinance No. 23-948 by title only, passed unanimously (6-0).

The city clerk read the ordinance title into the record.

Mayor Powell called for a motion.

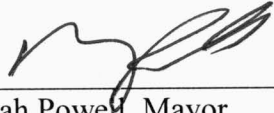
Motion by Councilmember Snyder, seconded by Councilmember Tarango to adopt Ordinance No. 23-948 as presented, passed unanimously by roll call vote (6-0).

X. EXECUTIVE SESSION

No executive session requested by Council or staff.

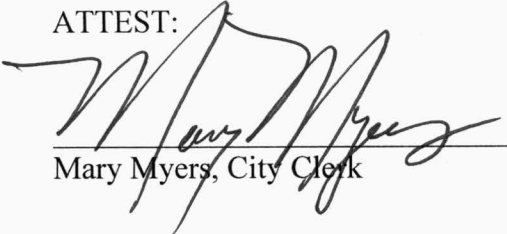
XI. ADJOURNMENT

There being no further business, Mayor Powell adjourned the meeting at approximately 6:38 p.m.



Micah Powell, Mayor

ATTEST:



Mary Myers, City Clerk