



STATEMENT OF LEGAL ACTIONS

PUBLIC NOTICE THE ELOY CITY COUNCIL

Meets

MONDAY, SEPTEMBER 25, 2023

6:00 PM

ELOY CITY COUNCIL CHAMBERS

595 NORTH C STREET

ELOY, ARIZONA 85131

For a
REGULAR MEETING

AGENDA

- I. Call to Order *6:02 p.m.*
- II. Roll Call *Mayor Micah Powell; Vice-Mayor Sylvia Guanajuato Rodriguez; Councilmember Sara Curtis; Councilmember Jose Garcia; Councilmember Andy Sutton; Councilmember Michelle McKinley-Tarango; Councilmember Dan Snyder*
- III. Invocation
The invocation shall be voluntarily delivered by an eligible member of a religious/spiritual organization in the incorporated limits of the City of Eloy, Arizona, and shall not exceed three (3) minutes in length. Invocations are not intended to affiliate the City Council with, or express the City Council's preference for, any religious/spiritual organization, or to disparage the religious faith or non-religious view of others. If the selected invocation speaker does not appear at the scheduled meeting, the Mayor may ask for an adult volunteer from the audience to deliver the invocation or call for a moment of silence.
- IV. Pledge of Allegiance
- V. Public Appearances
Those wishing to ADDRESS THE CITY COUNCIL may do so by signing in on a form provided by the City Clerk, identifying the topic(s) or agenda item(s). **ACTION** taken as a result of public comment regarding non agenda items will be limited to directing staff to study the matter or rescheduling the matter for further consideration and decision at a later date.
SPEAKERS SHALL BE LIMITED TO THREE (3) MINUTES.
 - A. Scheduled
 - B. Unscheduled
- VI. Reports and Announcements
 - A. Council Members' Announcements
 - B. Mayor's Announcements

1. Proclamation - October Fire Prevention Month

C. City Manager's Announcements

VII. Consent Agenda *Approved 7-0 (roll call) item B removed for discussion*

ALL ITEMS LISTED WITH AN ASTERISK(*) ARE CONSIDERED TO BE ROUTINE MATTERS AND WILL BE ENACTED BY ONE MOTION AND ONE ROLL CALL VOTE OF THE COUNCIL. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS A COUNCIL MEMBER SO REQUESTS, IN WHICH EVENT THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED IN ITS NORMAL SEQUENCE ON THE AGENDA.

*A. Approval of Minutes - 8/28/2023 (Regular)

*B. Consideration of Accepting Transfer of Right-of- Way Ownership and Maintenance Responsibilities on a Portion of Selma Highway in Section 3, Township 7 South, Range 7 East, of the Gila and Salt River Base and Meridian, from Pinal County to the City of Eloy, and Authorizing the Mayor to Sign the Necessary Right-of-Way Transfer Documents.

Approved 7-0 (roll call)

*C. Approve an Intergovernmental Agreement (IGA) with the Arizona Department of Transportation (ADOT) for the Intersection Lighting Project at Battaglia Road and Tweedy Road to be Fully Funded through the Highway Safety Improvement Program (HSIP) Grant in the amount of \$307,749, and Authorize the Mayor to Sign the Necessary Agreements

VIII. Business: Possible Discussion and/or Action on the Following:

A. Conduct a public hearing for an application submitted by Heather N. Dukes, Esq., c/o Javelina Development LLC, proposing to rezone approximately 17.15 acres consisting of Pinal County Assessor Parcel Numbers: 403-23-002A and 403-23-003B, located at the southwest corner of the intersection of Toltec Road and Houser Road in Eloy, Arizona, from R1-12 (Single-Family Residential) to C-2 (Community Commercial). Case No.: RZ2023-012 (Project Name: Love's Travel Stop). *Public Hearing Only*

B. Consideration, discussion, and recommendation to the Eloy City Council for approval, approval with conditions, denial or continuance of Case No.: RZ2023-012 (Project Name: Love's Travel Stop). *Approved 7-0 (roll call).*

C. Conduct a public hearing for an application submitted by Heather N. Dukes, Esq., c/o Javelina Development LLC, to obtain a Conditional Use Permit for a proposed Love's Travel Stop, consisting of approximately 17.15 acres (zoned C-2, Community Commercial) located at the southwest corner of the intersection of Toltec Road and Houser Road in Eloy, Arizona. Specifically, this application requests the following uses on the property: a truck stop, a truck wash, and two fast-food restaurants with a drive-through pursuant to Section 21-2-3.3 and Table 2.3-1. Five (5) overnight recreational vehicle (RV) parking spaces are also included with limited electricity and water utility connections (as an accessory use) to the truck stop. Case No.: CUP2023-011. (Project Name: Love's Travel Stop).

Public Hearing Only

D. Consideration, discussion, and recommendation to the Eloy City Council for approval, approval with conditions, denial or continuance of Conditional Use Permit, Case No.: CUP2023-011. (Project Name: Love's Travel Stop).

Approved 7-0 (roll call)

E. Council accept the resignation of Councilmember Sara Curtis as Ex-Officio on the Eloy Planning and Zoning Commission, acting in the capacity of a non-voting member. *Approved 7-0 (roll call)*

F. Appointment of a Councilmember to serve as Ex- Officio on the Eloy Municipal Airport Advisory Board, acting in the capacity of a non-voting member.

Approved 7-0 (roll call)

G. Appointment of a Councilmember to serve as Ex- Officio on the Eloy Planning and Zoning Commission, acting in the capacity of a non-voting member.

Approved 7-0 (roll call)

IX. Executive Session

Possible executive session for discussion/consultation for legal advice with the city attorney and/or city staff concerning any of the agenda items, pursuant to A.R.S. §38-431.03 (A) (3) and (4).

X. Adjournment 6:58 p.m.

POSTED BY 5:00 PM, ON TUESDAY, SEPTEMBER 26, 2023, AT CITY WEBSITE:

www.elayaz.gov.

A handwritten signature in black ink, reading "Mary Myers", followed by a horizontal line.

Mary Myers, MMC, CPM City Clerk

INDIVIDUALS WITH SPECIAL ACCESSIBILITY NEEDS MAY CONTACT LORENA LaSALDE-RIOS, ADA COORDINATOR FOR THE CITY OF ELOY AT 520-466-9201 OR 520-466-7455 (TDD). IF POSSIBLE, SUCH REQUESTS SHOULD BE MADE 72 HOURS IN ADVANCE. ONE OR MORE MEMBERS OF THE COUNCIL AND/OR STAFF MAY PARTICIPATE BY TELEPHONIC OR VIDEO MEANS.