



**City of Eloy
Minutes
City Council Regular Meeting
Monday, April 28, 2025
City Council Chambers
595 North C Street
Eloy, Arizona 85131**

I. Call to Order

Mayor Andrew Sutton called the meeting to order at 6:06 PM.

II. Roll Call

Present: Andrew Sutton, Mayor
Michelle McKinley-Tarango, Vice Mayor
Sara Curtis, Councilmember
JoAnne Galindo, Councilmember
Jose Garcia, Councilmember
Michael Vodrazka, Councilmember

Excused: Daniel Snyder, Councilmember

Staff: David Malewitz, City Manager
Stephen Cooper, City Attorney
Celine Kidwell, City Clerk
Mackenzie Letcher, Assistant City Manager

III. Moment of Silence

A moment of silence was observed at the Mayor's request.

IV. Pledge of Allegiance

Led by Mayor Sutton.

V. Public Appearances

A. Scheduled

There were no scheduled public appearances.

B. Unscheduled

- Mr. Syed Taha requested and was granted permission to speak for thirty seconds to one minute beyond the standard three-minute time limit.

Mr. Taha thanked the Council, congratulated Mayor Sutton, and welcomed the new City Clerk. Mr. Taha identified himself as a longtime resident of Eloy, a pastor, and a real estate developer. He described his family's community contributions, including cleaning public spaces, volunteering, and providing water and food to farm workers. Mr. Taha stated that he and his associates own approximately two square miles of land, extending from the current location to Arizona Avenue, south of Battaglia Road, with personal ownership of several parcels. Following his August 2024 opposition to a city solar farm, Mr. Taha received a court violation notice from Daniel Symer and Angel Madrid based on a citizen nuisance complaint. Officials accessed his property via county road and private dirt road to conduct an inspection and photograph the premises. Mr. Taha disputed the violations, acknowledging only one barbecue stove on the property while denying the presence of abandoned vehicles. He cited city code provisions and argued that his remote property location does not constitute a violation. Mr. Taha contested the classification as a vacant lot, describing his half-square-mile property as a working farm with a 100-year history, having previously functioned as a ranch and a federal facility. Mr. Taha reported facing five criminal charges. Dan Symer has filed a court request for property access to conduct cleanup. Mr. Taha submitted documentation of 200 other properties with similar violations, alleging selective enforcement. Mayor Sutton thanked Mr. Taha when his time expired.

- Mr. Talib Hussein identified himself as the eldest son and stated that his mother has never been to court in her life. He alleged that code enforcement filed five criminal charges, claiming they are being targeted. He stated he wanted to use his three minutes to protest so everyone knows what is happening in the city.

Mayor Sutton thanked Mr. Hussein for stepping up and called it a very brave and wonderful thing.

- Ms. Ann Howard identified herself as a downtown Eloy resident. She inquired about the new garbage cans that residents are supposed to receive, asking whether they would receive one or two cans, noting that they currently have two.

Mayor Sutton responded that information would be sent out with complete details about what residents will receive.

VI. Reports and Announcements

A. Mayor's Announcements

Mayor Sutton provided a report highlighting recent activities and engagements:

- Mayor Sutton recognized the recent restriping of Frontier Street and expressed appreciation for the efforts involved in improving safety and visibility along this corridor.
- Attended the Tri-Chamber Mixer, supporting regional partnerships and business collaboration.

- Participated in the public session for the Sunland Gin Road project, engaging with community members on this critical infrastructure improvement.
- Toured the local solar facility with Assistant City Manager Letcher, learning more about the city's renewable energy initiatives.
- Joined the community Easter celebration at Jones Park, commending the Parks and Recreation Department for a successful event.
- Initiated planning efforts for the 2026 Semiquincentennial, noting the importance of commemorating our nation's 250th anniversary.
- Visited Republic Plastics and attended the Arizona@Work Job Fair, which attracted more than 300 attendees, underscoring the city's commitment to workforce development and economic growth.

B. Council Members' Announcements

- Councilmember Garcia thanked staff for activating a new pedestrian crosswalk beacon.
- Other Councilmembers expressed appreciation for recent community events and the strong resident participation.

C. City Manager's Announcements

City Manager David Malewitz reported that the April 20th Community Cleanup was a success, thanks to support from the Eloy Fire District and student volunteers. He reminded the Council of the Summer Kickoff on May 23rd and requested nominations for the General Plan advisory interviews.

VII. Consent Agenda

Mayor Sutton asked if any Council Members wished to remove items from the Consent Agenda. No items were removed. Mayor Sutton noted a correction to Item C reflecting the accurate legal representative.

Motion: Councilmember Garcia moved to approve the Consent Agenda as corrected.

Second: Councilmember Curtis seconded.

Vote: Approved unanimously (6–0) by roll call vote.

A. Approval of Minutes - March 31, 2024, Work Session

B. Consideration of an Intergovernmental Agreement (IGA) between the City of Eloy and the City of Maricopa for the Transfer of a Used Law Enforcement Vehicle and Equipment

C. Consideration of an Intergovernmental Agreement (IGA) between the City of Eloy and the City of Winslow for the Transfer of Used Law Enforcement Vehicles and Equipment. *Mayor Sutton noted a correction to Item C reflecting the accurate legal representative.*

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

A. Approval of a Final Plat for Pinal Hispanic Council, Case No. FP2024-005. The proposed Final Plat is a request to combine lots 13, 15, 16, 17, 18, and 19 in Block

43, Cotton City (Proper) subdivision into one (1) lot containing approximately 0.8446 acres, located at 106 E 4th Street, Eloy, AZ 85131 (Pinal Hispanic Council Tiny Home Project)

Community Development Director Dan Symer presented the staff report for Case No. FP2024-005, a request by Compass Affordable Housing (Maryann Beerling) on behalf of the Pinal Hispanic Council for final plat approval to combine six lots in Block 43 of the Cotton City (Proper) subdivision.

Community Development Director Symer explained that the proposal involves combining lots 13, 15, 16, 17, 18, and 19 into one consolidated lot with a total area of 0.8446 acres (36,793.862 square feet). The property is located at 106 E 4th Street, Eloy, AZ 85131, and is designated as High-Density Residential in the General Plan. The lot is zoned Multiple Family Residential (R-3) with a Downtown Core Overlay, allowing for 10-24 dwelling units per acre. Director Symer noted that vehicular access would be provided from East 4th Street, and that existing water and wastewater infrastructure is available to serve the development. He confirmed that the project conforms to all applicable provisions of the General Plan and Zoning Ordinance, with no fiscal impact anticipated to the City.

Staff recommended approval of the final plat.

There was no public comment.

Motion: Councilmember Garcia moved to **approve** the Final Plat for Pinal Hispanic Council, Case No. FP2024-005. The proposed Final Plat is a request to combine lots 13, 15, 16, 17, 18, and 19 in Block 43, Cotton City (Proper) subdivision into one (1) lot containing approximately 0.8446 acres, located at 106 E 4th Street, Eloy, AZ 85131 (Pinal Hispanic Council Tiny Home Project), as presented.

Second: Councilmember Galindo seconded the motion

Vote: Motion carried unanimously (6-0) by roll call vote.

B. Discussion and possible policy direction regarding the Utility Rate Study and the selection of the preferred funding scenario and initiation of the Notice of Intent Process.

Finance Director Wright presented the utility rate study update following the recent Council workshop. He explained that the City had contracted with Willdan to update the utility rate study and long-term financial plan for Eloy's Water and Wastewater services, as approved by Council on September 23, 2024. Director Wright noted that the current five-year water and wastewater rate plan was adopted on April 11, 2022, through Resolutions 22-1528 and 22-1529, with scheduled annual rate increases through November 1, 2026.

Director Wright explained that since the plan's inception, significant increases in operational costs, including labor, materials, and capital expenditures, had altered the financial outlook for both utility systems. He emphasized that capital improvements remain a high priority for both Council and staff, particularly given the anticipated infrastructure expansion outlined in the 2024 Water and Wastewater Master Plan.

Director Wright detailed that Willdan had compared Eloy's rates to those of neighboring communities, calculated revenue needs for both current and future operations, updated

the financial model using current budget data and trends, and created several rate plan options for Council consideration. He outlined four funding scenarios based on updated financial needs, all accounting for a 3% yearly increase in operating expenses, annual salary increases of 5%, health benefit increases of 5-7%, and rising costs for chemicals, utilities, and fuel.

The four scenarios presented were: Scenario I with no new debt maintaining the current \$13 million debt cap; Scenario II adding \$10 million in new debt for a total of \$23 million; Scenario III adding \$20 million in new debt for a total of \$33 million; and Scenario IV adding \$50 million in new debt for a total of \$63 million. Wright noted that each scenario would require a new resolution to support rate adjustments.

Staff recommended Scenario II, which would expand the debt obligation by an additional \$10 million from the current budgeted \$13 million for capital infrastructure, allowing only one more year of an 11%-13% increase to the rate study. Director Wright explained that should the Council direct staff to proceed with any funding scenario other than Scenario I, staff would initiate the process by preparing necessary documentation, including adopting a Notice of Intention to adjust rates and scheduling a public hearing, as required by Arizona Revised Statutes § 9-511.01.

There was no public comment.

Following discussion and consideration of the four funding scenarios presented, the Council agreed with the staff recommendation to approve Scenario II, which would expand the debt obligation by an additional \$10 million from the current budgeted \$13 million for capital infrastructure, allowing for only one more year of an 11%-13% increase to the rate study.

By consensus, the Council provided policy direction to staff to proceed with Scenario II and initiate the Notice of Intent process as required by Arizona Revised Statutes.

C. Approval of a Professional Services Agreement with MidAtlantic Solid Waste Consultants to Conduct a Comprehensive Landfill Evaluation for an Amount Not to Exceed \$60,000

Assistant City Manager Mackenzie Letcher presented the recommendation to approve a professional services agreement with MidAtlantic Solid Waste Consultants to conduct a comprehensive landfill evaluation at a cost not to exceed \$60,000. He explained that the City of Eloy owns and operates a Class I landfill that has been in continuous operation for approximately 80 years and has experienced a significant increase in waste volume, from 6,192 tons in 2021 to 17,650 tons in the first three quarters of 2024.

Assistant City Manager Letcher noted that while previous estimates projected a remaining landfill life of 30 years based on historical disposal rates, the recent acceleration in waste acceptance has raised serious concerns about long-term capacity, financial sustainability, and cost recovery. He emphasized that current tipping fee revenues are not sufficient to fully fund the landfill's operational, closure, and post-closure obligations, resulting in the City's General Fund continuing to subsidize landfill operations.

He provided background on previous efforts, explaining that in 2019, Alta Engineering conducted an initial study evaluating four potential options.

There was no public comment.

Following discussion and consideration of the Professional Services Agreement with MidAtlantic Solid Waste Consultants to conduct a comprehensive landfill evaluation for an amount not to exceed \$60,000, the Council proceeded with the motion.

Motion: Councilmember Curtis moved to **approve** the Professional Services Agreement with MidAtlantic Solid Waste Consultants to conduct a comprehensive landfill evaluation for an amount not to exceed \$60,000, to be funded from the Sanitation Revenue Fund.

Second: Councilmember Galindo seconded the motion.

Vote: Motion carried unanimously (6-0) by roll call vote.

D. Consideration of Approval to Commit to a Local Match of 5.7% for a Transportation Alternatives Program Grant for the Battaglia Road Sidewalk Project for an Amount Not to Exceed \$75,000 if Grant Funding is Awarded

Public Works Director Matt Rencher presented the recommendation for the Council to approve the commitment to provide a 5.7% local match for the Battaglia Road Sidewalk project if grant funding is awarded. He explained that City staff have identified the need to construct a sidewalk along Battaglia Road, one of Eloy's primary corridors for both transportation and pedestrian activity. The proposed sidewalk will serve as a critical connection between the new Circle K, Trekell Park, several residential neighborhoods, Downtown Eloy, and multiple local schools.

Director Rencher noted that to support this initiative, staff have to partner with the Arizona Department of Transportation (ADOT) and the Sun Corridor Metropolitan Planning Organization (SCMPO) to pursue grant funding through the Transportation Alternatives (TA) Program. The project scope includes designing and constructing a sidewalk along the South section of Battaglia Road, extending from Eleven Mile Corner Road to Sunshine Boulevard.

He reported that in December 2023, the City was awarded a \$300,000 TA grant to fund a Scoping Study, which encompasses the initial design phase. Staff now plans to apply for an additional TA grant to complete the remaining design work and fund the construction phase. As part of the TA Program requirements, the City is required to provide a 5.7% cash match for the grant.

Director Rencher explained that preliminary cost estimates for the project place total construction expenses slightly above \$1.3 million, resulting in a required local match of approximately \$75,000. He noted that the next TA Program grant application deadline is Monday, May 5, 2025, and a key requirement for submission is a letter of commitment confirming the City's intent to provide the 5.7% local match. If awarded the next phase of funding, staff will explore opportunities to collaborate with potential funding partners, such as local school districts and the Eloy Chamber of Commerce, to help offset the City's share of the matching funds.

The fiscal impact of this project will be a 5.7% local match, in an amount estimated not to exceed \$75,000, to be paid from the Streets fund.

There was no public comment.

Following discussion of the Transportation Alternatives Program Grant opportunity, the Council was in consensus to pursue the grant funding and agreed to provide the required 5.7% local match of approximately \$75,000 for the Battaglia Road Sidewalk project.

By consensus, the Council directed staff to proceed with the grant application and commit to providing the 5.7% local match if grant funding is awarded.

IX. Executive Session

A. Performance evaluation including discussion and/or negotiation of salary and/or an employment contract of a public officer - City Attorney (Cooper & Rueter LLP), and possible contract negotiations, pursuant to A.R.S. §38-431.03 (A)(1), (3) and (4).

Mayor Sutton announced that the Council would enter Executive Session for the following purpose:

Performance evaluation including discussion and/or negotiation of salary and/or an employment contract of a public officer - City Attorney (Cooper & Rueter LLP), and possible contract negotiations, pursuant to A.R.S. §38-431.03 (A)(1), (3) and (4).

The Council entered Executive Session at 7:01 p.m. and reconvened into regular session at 8:50 p.m. The Council entered a second Executive Session at 8:51 p.m.

The Council reconvened into regular session at 9:31 p.m. Upon returning to regular session, the Council took the following action:

Motion: Councilmember Vodrazka moved to **retain** Cooper & Rueter LLP for six months, with a performance review scheduled within thirty days.

Second: Councilmember Curtis seconded the motion.

Vote: Motion carried unanimously (6-0) by roll call vote.

VIII. Adjournment

There being no further business, Mayor Sutton adjourned the meeting at 9:32 p.m.

BY:



Andrew Sutton, Mayor

ATTEST:



Celine A. Kidwell, City Clerk

APPROVED AS TO FORM:



Stephen R. Cooper, City Attorney

