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JUL 28 2011



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MEMORANDUM

DATE: JULY 26, 2011
TO: MAYOR TIBSHRAENY AND CITY COUNCIL
FROM: MARLA PADDOCK, CITY CLERK *mp*
SUBJECT: CORRECTION TO JUNE 9TH REGULAR COUNCIL MEETING MINUTES

It is necessary for the City Council to amend the minutes of June 9, 2011 to reflect a correction to the name of the dissenting voting member for Item 43 as listed on Page 31. It is incorrectly stated as Councilmember Weninger and should be recorded as Councilmember Sellers.

MOTION: Approve amending the Chandler City Council Regular Meeting minutes of June 9, 2011, Page 31, Item 43 to correctly reflect the name of the dissenting vote 5-1 as Councilmember Sellers.

COUNCILMEMBER SELLERS questioned if the neighbors would have the patience to try the proposals that were being presented by the applicant for a year.

MS. HOSKOVEC clarified that she had not agreed to anything when she spoke to Mr. Lewkowitz's wife. She felt that Mr. Stanfield has had 3 years to prove himself. She said that they had tried to get him to keep his word, but she did not see that happening. She added that at the Planning & Zoning Commission meeting, Mr. Stanfield would not commit to having "Alonso" playing inside. She did not believe that things would change.

MR. ROSIC told the Council that he had called the Police. He indicated that the bar stopped playing the music after the Police visited. He reiterated that he did not have any problem with music being outside, but rather just with the bass. He indicated that he did not know how the bass would travel if "Alonso" was playing inside the bar.

MR. ORLANDO indicated he would oppose any music at the bar. He told the Council that he is hearing impaired and could hear the music; he could only imagine what his neighbors hear.

In response to a question from COUNCILMEMBER HEUMANN, Mr. Lewkowitz stated that he did not attend the Planning & Zoning meeting. He further told the Council that he had conferred with Mr. Stanfield and told the Council that "Alonso" would not be playing inside or outside of the bar.

At the request of COUNCILMEMBER HEUMANN, Mr. Dermody stated that the revocation of a Use Permit would take a few months. He explained that an order could be issued by the Zoning Administrator immediately with litigation happening after that. He stated that the applicant could be heard in Court which could take time.

MOVED BY COUNCILMEMBER HEUMANN, SECONDED BY VICE-MAYOR DONOVAN TO APPROVE LUP11-0001 REGAL BEAGLE, WITH THE STIPULATION SET FORTH BY PLANNING COMMISSION, WHICH INCLUDES NO MUSIC ON THE PATIO.

MAYOR TIBSHRAENY clarified that the motion included all 12 conditions that were recommended by the Planning & Zoning Commission.

VICE-MAYOR DONOVAN noted she felt comfortable with what was being recommended by Planning & Zoning Commission and staff.

WHEN THE VOTE WAS CALLED, THE MOTION CARRIED BY MAJORITY (5-1) WITH COUNCILMEMBER **SELLERS** VOTING NAY.

44. MEMORANDUM OF UNDERSTANDING: SEIU

DIRECTED the City and SEIU to continue discussions through June 14, 2011, on outstanding issues of the Memorandum of Understanding.

The City and SEIU have met over the last several months to negotiate a wage reopener and tuition. Unfortunately, the City and SEIU were unable to obtain agreement on wages and on May 10, 2011, SEIU declared impasse. In accordance with the City's Meet and Confer Ordinance, the City is required to outline the areas of disputes and agreements for Council's consideration.