

COUNCIL MINUTES

June 2, 1997

The City Council of the City of Mesa met in a Study Session in the lower level meeting room of the Council Chambers, 57 East 1st Street, on June 2, 1997 at 4:30 p.m.

COUNCIL PRESENT

Mayor Wayne Brown
Pat Gilbert
John Giles
Dennis Kavanaugh
Joan Payne
Wayne Pomeroy
Jim Stapley

COUNCIL ABSENT

None

STAFF PRESENT

C.K. Luster
Wayne Balmer
Kathy Barrett
Neal Beets
Dennis Compton
Fred Conway
Mark Coon
John Geier
Geri Gerber
Bill Haney
Joe Holmwood
Jim Hull
Mike Hutchinson
Lars Jarvie
Barbara Jones
Harry Kent
Karen Kille
Ron Krosting
Rich Lorig
Greg Marek
Eric Norenberg
Ellen Pence
Don Pfohl
Bryan Raines
Tom Remes

STAFF PRESENT (CONT.)

Becky Richardson
Regan Robbins
Denise Samuel
Sharon Seekins
Debbie Vickman
Jamie Warner
Bill Way
Mindy White
Mark Woodward
Others

OTHERS PRESENT

Chris Moeser
David Molina
Joan Newth
Dan Nowicki
Ralph Pew
Herbert Strauss
Tom Verploegen
Claudia Walters
Dave Wier
Tom Wolf
Jim Zaharis
Others

(Items on the agenda were discussed out of order but for purposes of clarity, will remain as listed on the agenda.)

1. Hear a presentation by the Wolf Organization regarding an Arts, Entertainment, and Community Cultural Center.

Tom Wolf, Principal of the Wolf Organization, provided a brief synopsis of a report prepared by the Wolf Organization regarding the development of an Arts, Entertainment, and Community Cultural Center at the corner of Center and First Streets. Mr. Wolf stated that a survey was conducted indicating that the citizens of Mesa prefer community oriented/family functions.

Mr. Wolf explained that the project would be completed in two phases: 1) relocation of the Mesa Arts Center and building three performing arts facilities which would include retail and office space, and 2) an expansion which would include a 1600 seat facility. Mr. Wolf spoke regarding the importance of the location of the facility relative to the economic development of downtown Mesa. Mr. Wolf stated that the cost of the project would be approximately \$30 million for the first phase and \$20 million for the second phase. Mr. Wolf briefly reviewed financial projections relative to the facility's operation.

In response to questions from Councilmember Stapley, Barry Milofsky, Architect for the Wolf Organization stated that three locations were considered; University and Mesa Drive, the Mesa Arts Center, and City Hall, located at Center and First Streets. Mr. Milofsky explained that the City Hall site was selected due to its ability to provide the greatest economic benefit to the downtown area and the proximity of existing parking structures.

In response to a question from Vice Mayor Gilbert, Mr. Milofsky advised Council regarding the criteria used in determining a location.

Herbert Sprouse, Marketing Specialist for the Wolf Organization, briefly explained the results of a market survey conducted by the Wolf Organization. Mr. Sprouse noted that the report provides an overview of who would use the facility and how much they would utilize it.

In response to a question from Vice Mayor Gilbert, Mr. Wolf advised that the recommended facility would allow for arts, education, and recreational uses.

Discussion ensued relative to types of productions that would be able to utilize 600 and 2500 seat facilities, and consideration of the availability of freeway access when determining a location.

Mayor Brown commended the Wolf Organization for the report and noted his support of the proposed Performing Arts Center. Mayor Brown stated concern relative to the proposed costs and expressed a need for future discussion on the issue.

Councilmember Stapley stated appreciation to the Wolf Organization for the excellent report.

Councilmember Kavanaugh commended the Wolf Organization for the report and expressed appreciation for the uniqueness of the report and the site location.

2. Further discussion and consideration regarding the proposed Main Street median cuts and the Comida proposal.

Vice Mayor Gilbert indicated that he had a potential conflict of interest relative to the east median cut in connection with the matter now under discussion which he wanted recorded in the minutes of the meeting, and because of such conflict of interest, he would refrain from voting upon or otherwise participating in any manner in connection with same.

Councilmember Pomeroy indicated that he had a potential conflict of interest relative to the west median cut in connection with the matter now under discussion which he wanted recorded in the minutes of the meeting, and because of such conflict of interest, he would refrain from voting upon or otherwise participating in any manner in connection with same.

Mayor Brown expressed the opinion that the two requested median cuts should be considered on their merits.

In response to a question from Mayor Brown, Community Development Manager Wayne Balmer explained that it would be necessary to move the crosswalk near the proposed west median cut 50 feet west.

Councilmember Kavanaugh indicated support for the median cuts relative to the beneficial aspects of the project to the community. Councilmember Kavanaugh stated that support for the median cuts does not necessarily indicate support for the Comida proposal.

Councilmember Pomeroy indicated support for the east median cut.

It was moved by Councilmember Pomeroy, seconded by Councilmember Stapley that the proposed median cut on the east side be approved.

Upon tabulation of the votes, it showed:

AYES - Brown- Giles- Kavanaugh- Payne- Pomeroy- Stapley
NAYS - None
ABSTAIN - Gilbert

Mayor Brown declared the motion carried by a majority vote of those voting.

It was moved by Councilmember Stapley, seconded by Councilmember Giles that the proposed median cut on the west side be denied.

Upon tabulation of the votes, it showed:

AYES - Brown- Gilbert-Giles-Stapley
NAYS - Kavanaugh-Payne
ABSTAIN - Pomeroy

Mayor Brown declared the motion carried by a majority vote of those voting.

3. Consider appointments to boards and committees.

Mayor Brown recommended the following appointments to boards and committees:

BOARD OF ADJUSTMENT

Skip Nelson - term ending June 30, 2000

Clark Richter - term ending June 30, 2000

Gregory L. Hitchens - term ending June 30, 2000

BUILDING BOARD OF APPEALS

Duane Black - term ending June 30, 2000

Bob Johnson - term ending June 30, 2000

CRIME PREVENTION ADVISORY BOARD

Alice Brooks - term ending June 30, 2000

Ruth Anne Fultz - term ending June 30, 2000

Johnny W. Guthrie - term ending June 30, 2000

Marianne McKay-Cox - term ending June 30, 2000

DESIGN REVIEW BOARD

Laurie Nichols - term ending June 30, 2000

Edward C. Corral - term ending June 30, 2000

John M. O'Hara - term ending June 30, 2000

DOWNTOWN DEVELOPMENT COMMITTEE

Claudia Walters - term ending June 30, 2000

Debra Duvall - term ending June 30, 2000

David A. Weir - term ending June 30, 2000

ECONOMIC DEVELOPMENT ADVISORY BOARD

Dick Bowman - term ending June 30, 2000

Myra Jefferson - term ending June 30, 2000

Mark Schofield - term ending June 30, 2000

ELECTRICAL ADVISORY BOARD

John Branch - term ending June 30, 2000

Keith Nath - term ending June 30, 2000

Vince DiBella - term ending June 30, 2000

HOUSING AND HUMAN SERVICES ADVISORY BOARD

Katina Butler - term ending June 30, 2000

Elaine Nelson - term ending June 30, 2000

Gregory G. Holtz - term ending June 30, 2000

LIBRARY ADVISORY BOARD

Julie Sanner - term ending June 30, 2000

Martha Stewart - term ending June 30, 2000

Steven B. McCance - term ending June 30, 2000

MERIT SYSTEM BOARD

Dietrich E. Buczko - term ending June 30, 2000

MUSEUM AND CULTURAL ADVISORY BOARD

K. C. Hooper - term ending June 30, 2000

Richard Adams - term ending June 30, 2000

Robert M. Blatz - term ending June 30, 2000

Gil Greer - term ending June 30, 2000

Chris M. Rhodes - term ending June 30, 2000

Donna L. Logsdon, Ed.D. - term ending June 30, 2000

PARKS AND RECREATION BOARD

Cynthia Bennett - term ending June 30, 2000

Lynda Bailey - term ending June 30, 2000

Rev. Don Thompson - term ending June 30, 2000

Fernando Guerrero Jr. - term ending June 30, 2000

PERSONNEL APPEALS BOARD

Joanne Berry -term ending June 30, 2000

PLUMBING, MECHANICAL AND SOLAR ENERGY BOARD

Kerry Mortenson - term ending June 30, 2000

Steve Daldrup - term ending June 30, 2000

Karl Kohlhoff - term ending June 30, 2000

SELF-INSURANCE BOARD OF TRUSTEES

Robert "Bob" Lyons - term ending June 30, 2000

TRAFFIC SAFETY COMMITTEE

Diane M. Schmitt - term ending June 30, 2000

Michael Rush - term ending June 30, 2000

Sylvia Garcia-Suttle - term ending June 30, 2000

Mayor Brown noted that concern has been expressed relative to the recommended Planning and Zoning Board appointments and requested that the appointments in question not be considered at this time.

It was moved by Vice Mayor Gilbert, seconded by Councilmember Kavanaugh, that the Council concur with the Mayor's recommendations and the appointments be confirmed with the exception of the Planning and Zoning Board.

Carried unanimously.

4. Acknowledge receipt of minutes of meetings of various boards and committees and consider action items.

- a. Economic Development Advisory Board meeting held May 22, 1997
- b. Housing and Human Services Advisory Board meeting held May 21, 1997
- c. Museum and Cultural Advisory Board meeting held May 22, 1997

It was moved by Councilmember Stapley, seconded by Councilmember Giles, that receipt of the above listed minutes be acknowledged.

Carried unanimously.

5. Hear reports on meetings and/or conferences attended.

Mayor Brown advised that there were no reports on meetings and/or conferences attended.

6. Scheduling of meetings and general information.

City Manager Charles Luster advised that the meeting schedule is as follows:

Thursday, June 5, 1997, 4:00 p.m. - Policy Session

Friday, June 6, 1997, 7:30 a.m. - Transportation Committee

Friday, June 6, 1997, 8:00 a.m. - Study Session (to be followed by a tour of the Electric Department)

7. Review items on the agenda for the June 2, 1997, Regular Council meeting.

All of the agenda items were reviewed among the Council and staff, with no formal action taken. There was particular discussion with regard to the following agenda items:

- 5. Consider the following contracts.
 - e. Soccer field turf installation at HoHoKam Park as requested by the Parks, Recreation and Cultural Division.

The Purchasing Division recommends accepting the low bid by Gardner Turf Grass, Inc. at \$52,210.00 plus 7.25% sales tax of \$3,785.22 for a total of \$55,995.22.

In response to a question from Mayor Brown, Parks, Recreation and Cultural Director Joe Holmwood stressed the importance of reestablishing the soccer fields located at HoHoKam Park in time for the upcoming soccer season. Mr. Holmwood indicated that seeding would be a possible solution but that staff would need to reseed again next year.

Discussion ensued relative to the need to establish quality soccer fields, the cost of hydro seeding versus the cost to install turf, and the differences in the quality of the grass.

6. Introduction of the following ordinances and setting June 23, 1997 as the date for the public hearing on these ordinances.

*u. Relating to the City Council and City Boards and Commissions; Amending Title 1, Chapter 5 of the Mesa City Code by adding Section 1-5-9.

Councilmember Payne expressed concern relative to the verbiage regarding the removal of a Board and Commission member. Councilmember Payne requested that the Board and Commission members be held to the same standards as Councilmembers and asked that the verbiage which states that Board and Commission members can be removed "for any cause deemed sufficient" be changed.

City Attorney Neal Beets advised Council that the language "for any cause deemed sufficient" could be removed from the proposed Ordinance.

Vice Mayor Gilbert indicated that the proposed Ordinance only provides future City Councils with the ability to appoint members of Boards and Commissions and to determine whether the members should continue on the Boards and Commissions. Vice Mayor Gilbert indicated support for the Ordinance as proposed.

Mayor Brown expressed the opinion that the proposed language "for any cause deemed sufficient" is too vague.

Discussion ensued relative to the authority of the City Council to remove and assign Board and Commission members.

Councilmember Kavanaugh concurred with Vice Mayor Gilbert and noted that the proposed Ordinance provides a safeguard against impulsive action.

Mayor Brown stated that the agenda item would be removed from the consent agenda.

8. Consider the following ordinances.

b. Relating to City Council Advisory Boards; Amending Title 2 of the Mesa City Code by adding a new Chapter 3 Creating a Judicial Advisory Board and declaring an emergency.

City Attorney Neal Beets informed Council that a memo has been received from Court Administrator Kathryn Barrett regarding a potential operational problem of the proposed Judicial Advisory Board. Mr. Beets explained that amendments have been made to the proposed ordinance.

10. Consider amendments to the Redevelopment Agreement for the downtown area of the City of Mesa known as Site 14.
 - a. Amending the Redevelopment Agreement for Site 14 regarding Brown & Brown Chevrolet.

Mayor Brown indicated that he had a potential conflict of interest in connection with the matter now under discussion which he wanted recorded in the minutes of the meeting, and because of such conflict of interest, he would refrain from voting upon or otherwise participating in any manner in connection with same.

8. Prescheduled public opinion appearances. (Prescheduled appearances will begin at 5:30 p.m., there will be a maximum of three speakers for five minutes per speaker).

Mayor Brown advised that there were no prescheduled public opinion appearances.

9. Adjournment.

Without objection, the Study Session adjourned at 5:29 p.m.

WAYNE BROWN, MAYOR

ATTEST:

BARBARA JONES, CITY CLERK

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Study Session of the City Council of Mesa, Arizona, held on 2nd day of June 1997. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 7th day of July 1997

BARBARA JONES, CITY CLERK