

COUNCIL MINUTES

March 13, 1998

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 March 13, 1998 at 7:30 a.m.

COUNCIL PRESENT

Mayor Wayne Brown
Pat Gilbert
John Giles
Dennis Kavanaugh
Joan Payne
Wayne Pomeroy
Claudia Walters

COUNCIL ABSENT

None

STAFF PRESENT

C.K. Luster
Pauline Backer
Wayne Balmer
Neal Beets
Denise Bleyle
Joe Bruno
Dennis Compton
Kim Fallbeck
John Gendron
Geri Gerber
Mike Hutchinson
Janice Jackson
Lars Jarvie
Barbara Jones
Harry Kent
Peter Knudson
Wayne Korinek
Ron Krosting
Karen Kurtz
Dorinda Larsen
Larry Lines
Rich Lorig
Greg Marek
Jeff Martin
Tom Mattingly
Frank Mizner

STAFF PRESENT (CONT.)

Keith Nath
Ruth Anne Norris
Don Pfohl
Bryan Raines
Andrea Rasizer
Becky Richardson
Kathleen Savagian
Jenny Sheppard
Doug Tessendorf
Debbie Vickman
Paul Wilson
Mark Woodward
Larry Woolf
Others

OTHERS PRESENT

Bill Brando
Luule Brandofino
Jim Davidson
Dan Duncan
Keno Hawker
Ron Peters
Robbie Sherwood
Tom Verploegen
Others

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

Mayor Brown welcomed Councilmembers-Elect Keno Hawker and Jim Davidson to the meeting.

1. Review items on the agenda for the March 16, 1998 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:

6. Introduction of the following ordinances and setting April 6, 1998 as the date for the public hearing on these ordinances.

City Manager Charles Luster advised that an ordinance relating to organizational changes within the Utility Division will be added to the March 16, 1998 Regular Council Meeting agenda.

8. Consider the following ordinances.

- *b. Code Amendment: Pertaining to the zoning ordinance and the building regulations of the Mesa City Code, amending Title 11, Chapter 13, Section 2 regarding swimming pool enclosures; and adopting a new Chapter 7 of Title 4.

Councilmember Giles indicated concerns regarding the proposed amendment and requested that agenda Item 8b be removed from the consent agenda.

10. Consider the following cases from the Planning and Zoning Board and possible adoption of the corresponding ordinances.

- a. **Z97-97** The 1500 block of South Alma School Road (east side). Site plan review (1± acre). This case involves the development of an athletic shoe store. GMRI, Inc., owner; Beus, Morrill, Deavitt, applicant. **CONTINUED FROM THE FEBRUARY 17, 1998 REGULAR COUNCIL MEETING. A 3/4 VOTE IS REQUIRED TO APPROVE THIS REQUEST. THE APPLICANT IS REQUESTING THAT THIS CASE BE CONTINUED TO THE APRIL 20, 1998 REGULAR COUNCIL MEETING.**

Mayor Brown stated that agenda Item 10a would be placed on the consent agenda for the purpose of continuance to the April 20, 1998 Regular Council Meeting.

- e. **Z98-2** The 5400 block of East McLellan Road (north side). Rezone from R-4-DMP to R-2-PAD-DMP (10± acres). This case involves the development of a 112-unit condominium subdivision. Mirage Homes, owner; Beus, Gilbert, Deavitt, applicant. **A 3/4 VOTE IS REQUIRED TO APPROVE THIS REQUEST.**

In response to a question from Vice Mayor Gilbert, Community Development Manager Wayne Balmer advised that several of the neighbors originally expressing opposition to the subdivision have withdrawn their concerns. Mr. Balmer stated that currently the only neighbors remaining in opposition to the subdivision are located south of the proposed development.

- h. **298-12** The northwest corner of Elliot Road and Meridian Road. Rezone from AG to R1-7, R1-6, and R1-6-PAD as part of a DMP (160± acres). This case involves the development of a single-residence development master plan. LKY Development, owner; Coe and Van Loo, applicant.

Mr. Balmer informed Council that the applicant recently provided staff with a revised site plan indicating an increased amount of open space and improved landscaping. Mr. Balmer informed Council that the revisions were requested by the Planning and Zoning Board.

2. Hear a status report on Region 2025 Vision Process (Maricopa Association of Governments).

Planning Director Frank Mizner advised Council that Maricopa Association of Governments (MAG) created a Region 2025 Vision Committee during the summer of 1997 to develop a vision statement for the Valley of the Sun Region for the year 2025. Mr. Mizner explained that the Vision Committee has requested that a local committee be developed to provide input to the Vision Committee regarding regional vision, to solicit comments from local individuals or groups, and to periodically review draft documents. Mr. Mizner noted that a list of potential members for the local committee has been developed for Council's consideration.

In response to a question from Councilmember Giles, Mr. Mizner clarified that the proposed local committee would provide input to the Vision Committee regarding the City of Mesa's needs and concerns. Mr. Mizner stated that the Vision Committee should complete the vision statement during January 2000.

Mayor Brown thanked Mr. Mizner for the update.

3. Further consideration concerning the 800 MHZ Trunked Radio System.

Assistant City Manager Mike Hutchinson informed Council that representatives from the City of Mesa and the City of Phoenix recently met to discuss the proposed 800 MHZ Trunked Radio System. Mr. Hutchinson noted that the City of Phoenix is committed to proceed with the project and requested Council's approval to issue a Request For Proposal (RFP) for the procurement of an 800 MHZ trunked radio system. Mr. Hutchinson introduced Communications Director Don Pfohl and Communications Assistant Director Joe Bruno.

In response to questions from Councilmember Kavanaugh, Mr. Pfohl explained that the Federal government is currently working on a Public Safety Wireless Network that would partner with State and Local governments. Mr. Pfohl advised that the 800 MHZ Trunked Radio System would provide a valley-wide network for all levels of law enforcement and fire operations.

In response to a question from Mayor Brown, Mr. Pfohl informed Council that the proposed system would allow the police and fire departments to encrypt the system creating difficulties for individuals to scan police and fire communications.

Mayor Brown indicated support for the proposed 800 MHZ Trunked Radio System based on the ability of the police and fire departments to encrypt the system.

Councilmember Giles stated that after further review he currently supports the proposed system based on its long-term cost effectiveness.

It was moved by Councilmember Kavanaugh, seconded by Councilmember Giles, that Alternative 1, the issuance of a Request For Proposal (RFP) requiring Project 25 standards compliance, be approved.

Upon tabulation of votes, it showed:

AYES - Brown-Giles-Kavanaugh-Pomeroy-Walters
NAYS - None
ABSENT - Gilbert-*Payne

Mayor Brown declared the motion carried unanimously by those present.

*(Councilmember Payne left the meeting during discussion of Agenda Items 3 and 4.)

4. Acknowledge receipt of minutes of meetings of various boards and committees.

- a. Housing and Human Services Advisory Board meeting held February 19, 1998
- b. Museum and Cultural Advisory Board meeting held February 26, 1998
- c. Library Advisory Board meeting held March 3, 1998
- d. Design Review Board meeting held March 4, 1998

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

Upon tabulation of votes, it showed:

AYES - Brown-Giles-Kavanaugh-Pomeroy-Walters
NAYS - None
ABSENT - Gilbert-*Payne

Mayor Brown declared the motion carried unanimously by those present.

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:

Monday, March 16, 1998, 5:45 p.m. - Regular Council Meeting

Friday, March 20, 1998, 7:30 a.m. - Study Session

Friday, March 27, 1998, 7:30 a.m. - Tour of Industrial Sites

Mr. Hutchinson introduced Jenny Sheppard and noted that Ms. Sheppard has worked for the City for 20 years and has recently joined the City Manager's Office as a Special Assistant to the City Manager and will further develop the Management Development program.

7. Further discussion and consideration concerning phasing and financing for the Main Street streetscape project.

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. Mayor Brown yielded the gavel to Councilmember Kavanaugh for action on this agenda item and exited the Chambers during discussion of this item.

Vice Mayor Gilbert 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 and exited the Chambers during discussion of this item.

Councilmember Pomeroy 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 and exited the Chambers during discussion of this item.

Engineering Design Director Peter Knudson showed renderings of the proposed Main Street streetscape project and briefly outlined the main design elements.

Discussion ensued relative to the cost of replacing existing water and sewer lines, the placement of utility lines under the sidewalk, and the future cost to the City if the water and sewer lines were not replaced during the Main Street streetscape project.

Public Works Manager Harry Kent provided maps of the Main Street project to Council and explained that Alternative 1 (Map #2) would include a contract requirement that would require the contractor to cease work during a specified period of time to avoid negatively impacting the businesses (from October 1998 to the spring of 1999). Mr. Kent noted that the project would be completed during the fall of 1999. Mr. Kent explained that Alternative 2 (Map #3) would break Alternative 1 into two smaller phases and allows staff to make adjustments for future phases. Mr. Kent stated that both Alternatives 1 and 2 would require a future contract to complete the total project.

In response to a request from Councilmember Giles, Mr. Kent recommended approval of Alternative 2 relative to the probability of receiving fewer claims from the contractor. Mr. Kent stated that both Alternative 1 and 2 will require the contractor to minimize the amount of disruption to the downtown merchants.

Community Development Manager Wayne Balmer expressed the opinion that Alternative 2 would assist the downtown merchants in understanding the project's time line.

In response to a question from Councilmember Walters, Redevelopment Director Greg Marek explained that staff has met with the downtown merchants and representatives from the Mesa Town Center Corporation to discuss the project. Mr. Marek indicated that the merchants have expressed the opinion that staff should proceed with the project.

Councilmember Walters stressed the importance of continuing to work closely with the downtown merchants and expressed the opinion that the construction of Main Street should be scheduled during the merchants' off season in order to ensure minimum disruption.

It was moved by Councilmember Payne, seconded by Councilmember Giles, that Alternative 1 be approved.

Discussion ensued regarding a lite-rail system and if Main Street would be capable of supporting a lite-rail system upon the completion of the streetscape project. Redevelopment Director Greg Marek confirmed that the Main Street project would not prevent the potential placement of a lite-rail system on Main Street.

Councilmember Walters stressed the importance of informing citizens that Main Street will remain a feasible route for a future lite-rail system.

Upon tabulation of voters, it showed:

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

Councilmember Kavanaugh declared the motion carried unanimously by those voting.

With discussion on this item being completed, Mayor Brown and Councilmember Pomeroy returned to the Council Chambers and Councilmember Kavanaugh yielded the gavel to Mayor Brown. Vice Mayor Gilbert did not return for the remainder of the meeting.

8. Prescheduled public opinion appearances (maximum of three speakers for five minutes per speaker).

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

9. Items from citizens present (maximum of three speakers for five minutes per speaker).

Bill Brando, 61 South Macdonald, spoke of the importance of improving the signage in the downtown area. Mr. Brando expressed the opinion that the proposed Main Street

improvements would not assist in meeting the needs of the downtown merchants and stated that inequity exists in recent improvements to the downtown area.

10. Adjournment.

Without objection, the Study Session adjourned at 8:38 a.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 the 13th day of March 1998. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this ____ day of _____ 1998

BARBARA JONES, CITY CLERK