

COUNCIL MINUTES

February 5, 2007

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 February 5, 2007 at 5:08 p.m.

COUNCIL PRESENT

Mayor Keno Hawker
Rex Griswold
Kyle Jones
Tom Rawles
Scott Somers
Claudia Walters
Mike Whalen

COUNCIL ABSENT

None

OFFICERS PRESENT

Christopher Brady
Debbie Spinner
Barbara Jones

1. Review items on the agenda for the February 5, 2007 Regular Council meeting.

All of the items on the agenda were reviewed among Council and staff and the following was noted:

Conflicts of interest declared: 4e (Hawker)

Items deleted from the agenda: None

Items removed from the consent agenda: None

2. Discuss and provide direction to change the public hearing date for Z07-10 and Z07-11 to March 5, 2007 and give possible direction to staff to introduce ordinances for these zoning cases on February 20, 2007 for action on March 5, 2007.

Mayor Hawker advised that these two cases relate to the Lowe's applications, which were denied by the Planning and Zoning (P&Z) Board, and he requested information from staff regarding the procedure to be followed when the Council considers cases denied by P&Z.

Planning Director John Wesley stated that P&Z usually concurs with staff's recommendations for approval or denial, and he explained that staff does not prepare stipulations for cases being recommended for denial. He said that following Council approval of a case previously denied by P&Z, staff prepares an ordinance based on Council direction. Mr. Wesley reported that staff recommended approval of the subject cases and therefore the language for the ordinances is available. He advised that staff proposes to introduce the original ordinances on February 20, 2007 for a public hearing on March 5, 2007 and that the ordinances would be available for

Council consideration at the March 5th meeting in the event the Council decides to approve the zoning cases.

Mayor Hawker requested that staff expend effort to shorten the timeline for this process by having proposed stipulations available at the time the Council considers denied cases in the future.

Vice Mayor Walters stated that she concurred with the proposed process for hearing the Lowe's cases with the understanding that there is no presumption that the Council has already made a decision regarding the cases.

In response to a request from Vice Mayor Walters, Mr. Wesley advised that staff would notify the neighborhood residents and other interested parties that March 5th is the date of the public hearing on these cases.

Responding to a question from Councilmember Rawles, Mr. Wesley clarified that the proposed ordinance would be introduced on the February 20th agenda and that the public hearing would be listed on the February 20th agenda for continuance to the March 5th Council meeting.

Mayor Hawker advised that the Council concurs with staff's proposal and that staff is directed to introduce the ordinances for cases Z07-10 and Z07-11 on February 20th and to schedule the public hearing on March 5, 2007.

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

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| Councilmember Jones: | Mesa Senior Center Event. |
| Mayor Hawker: | American Public Gas Association Meeting in Mesa. |
| Vice Mayor Walters &
Councilmember Whalen: | Pancake Breakfast/Neighborhood Meeting
for Districts 1 and 2. |
| Councilmember Griswold: | Meeting with representatives of the Perimeter Bike
Race scheduled to be held in Mesa on March 31st. |

4. Scheduling of meetings and general information.

City Manager Christopher Brady stated that the meeting schedule is as follows:

Tuesday, February 6, 2007, 6:00 p.m. - District Meeting (District 5)

Thursday, February 8, 2007, 7:30 a.m. – Study Session

Tuesday, February 13, 2007, 6:00 p.m. - District Meeting (District 6)

Thursday, February 15, 2007, 7:30 a.m. – Study Session

Tuesday, February 20, 2007, TBA – Study Session

Tuesday, February 20, 2007, 5:45 p.m. – Regular Council Meeting

Tuesday, February 21, 2007, 6:00 p.m. - District Meeting (District 1)

Thursday, February 22, 2007, 7:30 a.m. – Study Session

Tuesday, February 28, 2007, 6:00 p.m. - District Meeting (District 2)

5. Prescheduled public opinion appearances.

Daniel Friedman, Field Representative for newly elected Congressman Harry Mitchell, introduced himself and advised that their office is located at 7201 East Camelback Road, Suite 335, in Scottsdale. He invited the Councilmembers and City staff to contact the local office if they have questions or require assistance.

Jeff Durbin, 8616 East Natal Avenue, a veteran, commented on his displeasure with the refusal of Councilmember Rawles to participate in the Pledge of Allegiance, and he provided a memorandum with attachments outlining his opinions along with a copy of "The American's Creed" (copies are available for review in the City Clerk's Office).

Jim Kirk addressed the Council regarding the death of his son, Robert Nathaniel Kirk, and his belief that his son was murdered. He stated the opinion that the Mesa Police Department has not properly investigated the case. Mr. Kirk provided photographs and a printed copy of his comments (copies are available for review in the City Clerk's Office).

6. Adjournment.

Without objection, the Study Session adjourned at 5:30 p.m.

KENO HAWKER, 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 5th day of February 2007. I further certify that the meeting was duly called and held and that a quorum was present.

BARBARA JONES, CITY CLERK

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