

# COUNCIL MINUTES

September 6, 1996

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 September 6, 1996 at 7:30 a.m.

## COUNCIL PRESENT

Mayor Wayne Brown  
Pat Gilbert  
John Giles  
T. Farrell Jensen  
Jim Stapley

## COUNCIL ABSENT

Dennis Kavanaugh  
Joan Payne

## STAFF PRESENT

C.K. Luster  
Pauline Backer  
Wayne Balmer  
Kathy Barrett  
Cindy Barris  
Neal Beets  
Mark Coon  
Kim Fallbeck  
Lowell Hamilton  
Mike Hutchinson  
Lars Jarvie  
Barbara Jones  
Sharon Joyce  
Harry Kent  
Ron Krosting  
Larry Lines  
Rich Lorig  
Jeff Martin  
Frank Mizner  
Ruth Anne Norris

## STAFF PRESENT (CONT.)

John Oliver  
Ellen Pence  
Bryan Raines  
Andrea Rasizer  
Denise Samuel  
Sharon Seekins  
Doug Tessendorf  
Bill Thompson  
Mindy White

## OTHERS PRESENT

Gene Espey  
Clifford Harris  
Chris Moeser  
Gary Robison  
Don Strauch  
Others

Mayor Brown excused Councilmembers Kavanaugh and Payne from the meeting.

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

1. Consider a request from Gary and Patty Robison to alter the previously approved design of the cul-de-sac to be constructed at the end of North Hall Circle.

City Manager Charles Luster noted that Council recently approved a construction plan for the cul-de-sac at the end of North Hall Circle involving a 30' radius. Mr. Luster advised that Dr. Robison, an affected property owner, subsequently requested that consideration be given to an alternative plan that would be less intrusive to his property. Mr. Luster referred to

schematics and outlined an alternative design developed by staff that would decrease the projection into the Robison property from 25' to 15' and would slightly decrease the impact on the remaining affected properties. Mr. Luster stated that staff recommends approval of the revised design.

Mr. Luster said that Dr. Robison reports that the majority of the neighbors favor the revised plan but that one individual is opposed, one family could not be reached, and one family will support the proposal once it is verified as a viable plan. Mr. Luster commented that Dr. Robison has agreed to provide the necessary right-of-way relative to his property. Mr. Luster stated that condemnation of additional property may be needed.

Councilmember Stapley 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.

Mr. Luster responded to questions from Vice Mayor Gilbert concerning impacts on property owners to the east and west. Mr. Luster advised that the alternative plan and the previously approved design will accommodate the same types of vehicles.

Councilmember Jensen expressed the opinion that the new proposal better equalizes the impact on affected property owners.

It was moved by Councilmember Jensen, seconded by Councilmember Giles , to approve the new design for the cul-de-sac to be constructed at the end of North Hall Circle.

Upon tabulation of votes, it showed:

AYES - Brown-Gilbert-Giles-Jensen  
NAYS - None  
ABSENT - Kavanaugh-Payne  
ABSTAIN - Stapley

Mayor Brown declared the motion carried unanimously by those present and voting.

2. Discuss and consider a request from Edmundo Chavez, Mayor of Guaymas, Sonora, Mexico, to acquire an additional refuse truck for use in Guaymas.

Community and Development Manager Wayne Balmer advised that the City has received a letter from Edmundo Chavez, Mayor of Guaymas, Sonora, Mexico, requesting the opportunity to acquire an additional refuse truck for use in Guaymas. Mr. Balmer reported that last year Mesa sold two trucks to the City of Guaymas for \$1.00 each and indicated that the City currently has another vehicle available.

Don Strauch, President of the Sister City Association of Mesa, provided background information concerning the inception of the Sister City program and its current operations and goals. Mr. Strauch spoke regarding the importance of truck donations to the City of Guaymas and encouraged Council approval of the request for an additional refuse vehicle.

Mr. Strauch introduced Gene Espey, former President of the Sister City Association, and invited Council to attend the annual meeting of the Sister City Association to be held on Friday, September 27, 1996.

It was moved by Councilmember Stapley, seconded by Councilmember Jensen, to approve the request from Edmundo Chavez, Mayor of Guaymas, Sonora, Mexico, to acquire an additional refuse truck for use in Guaymas.

A tabulation of votes showed the motion carried unanimously by those present.

Council noted the significance of relationships developed through the Sister City program and expressed appreciation to the individuals involved.

3. Review and consider the Sister City program.

This item was considered in conjunction with Item 2 above.

4. Appointments to boards and committees.

Mayor Brown recommended the following appointments to Boards and Committees:

PLANNING AND ZONING BOARD

Sue Kathe - term ending June 30, 1999

TRAFFIC SAFETY COMMITTEE

Jack Keller - term ending June 30, 1998

SELF-INSURANCE BOARD OF TRUSTEES

Brian Allen - term ending June 30, 1999

It was moved by Councilmember Jensen, seconded by Councilmember Stapley, that the Council concur with the Mayor's recommendations and the appointments be confirmed.

A tabulation of votes showed the motion carried unanimously by those present.

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

a. Crime Prevention Advisory Board meeting held August 21, 1996.

It was moved by Councilmember Stapley, seconded by Councilmember Jensen, to acknowledge receipt of the minutes of the Crime Prevention Advisory Board meeting held August 21, 1996.

A tabulation of votes showed the motion carried unanimously by those present.

Brief discussion ensued concerning the candidate presentation at the August 21, 1996 meeting of the Crime Prevention Advisory Board and the importance of ensuring that when a candidate

is provided an opportunity to speak at a meeting, all other candidates are granted the same opportunity.

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

Mayor Brown advised that last evening he attended the 25th anniversary celebration of LeGris Incorporated, whose national headquarters are located in Mesa.

Councilmember Giles indicated that he will attend the September 12, 1996 meeting of the Maricopa Association of Governments' (MAG) Air Quality Committee in lieu of Vice Mayor Gilbert.

7. Scheduling of meetings and general information.

Mr. Luster stated that the meeting schedule is as follows:

Monday, September 9, 1996, 5:30 p.m. - Regular Council Meeting

Wednesday, September 11, 1996, 5:30 p.m. - Joint Dinner Meeting with Salt River Project (SRP) Board of Directors

Thursday, September 19, 1996, 7 a.m. - Transportation Committee Meeting

Friday, September 20, 1996, 7:30 a.m. - Study Session

Tuesday, September 24, 1996, 5:30 p.m. - Regular Council Meeting

Executive Assistant Ellen Pence introduced Denise Samuel, a new management intern, and advised that Chris Moeser of the *Arizona Republic* has been reassigned to again report City news.

Councilmember Giles requested future discussion pertaining to the City's contingency funds. Assistant City Manager Mike Hutchinson indicated that the annual audit report will be presented to the Finance Committee in late September or early October and that contingency funds can be added to the agenda as a topic for review.

8. Review items on the agenda for the September 9, 1996 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:

- \*a. One replacement engineering digital printing system as requested by the Public Works Department.

Purchasing Administrator Sharon Seekins responded to questions from Council pertaining to the maintenance contract and the anticipated use of the equipment. Mayor Brown requested a cost comparison between leasing and purchasing.

6. Approving the appointment of the Mesa City Prosecutor to act on behalf of the State of Arizona in juvenile matters heard in the Mesa Municipal Court.

City Prosecutor Lowell Hamilton and Court Administrator Kathy Barrett outlined new legislation enacted this year that permits the County Attorney to appoint the City Prosecutor to act on behalf of the State in juvenile matters filed in Mesa City Court. Council and staff spoke concerning juvenile cases and the anticipation that the proposed appointment will clarify the City Prosecutor's authority in juvenile prosecutions.

Mayor Brown advised that this item will be added to the consent agenda.

7. Introduction of the following ordinance and setting September 24, 1996 as the date for the public hearing on this ordinance.

- \*a. Z96-65 The 2100 and 220 blocks of East McKellips Road (north side). This case involves a proposed 62-lot single-residence subdivision. THE ZONING WAS APPROVED FOR THE CASE ON AUGUST 26, 1996. THE CONDITIONS WERE REVISED REQUIRING A NEW ORDINANCE.

Mr. Balmer stated that Jane Ritchie, a neighbor, has expressed concern that approval of the zoning case may negatively affect traffic safety within her subdivision. Mr. Balmer reported that Ms. Ritchie is in the process of reviewing the matter with neighbors, which, in the event of a protest, may lead to a 3/4 vote requirement. Mr. Balmer said that Ms. Ritchie has been advised that the ordinance is scheduled for introduction at the September 9, 1996 Regular Council Meeting but that September 24 has been set as the date for the public hearing.

Traffic and Streets Director Ron Krosting commented that staff has explained the proposed street layout to Ms. Ritchie and expressed the opinion that the alignment will have minimal impact on Ms. Ritchie's subdivision.

Following brief Council discussion, Mayor Brown requested that Mr. Balmer inform the involved parties that the public hearing will be held on September 24.

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

There were no prescheduled public opinion appearances.

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

There were no items from citizens present at this time.

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11. Adjournment.

It was moved by Councilmember Stapley, seconded by Councilmember Jensen, that the Study Session adjourn at 8:47 a.m.

Carried unanimously.

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 6th day of September 1996. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 24th day of September, 1996

BARBARA JONES, CITY CLERK