

COUNCIL MINUTES

June 20, 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 20, 1997 at 7:30 a.m.

COUNCIL PRESENT

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

COUNCIL ABSENT

Joan Payne

STAFF PRESENT

C.K. Luster
Pauline Backer
Wayne Balmer
Marge Brabandt
Tanya Collins
Bev Collon
Dennis Compton
Linda Crocker
Lars Jarvie
Barbara Jones
Harry Kent
Karen Kille
Wayne Korinek
Dorinda Larsen
Greg Marek
Sandy Mason
Mark Meyers
Frank Mizner
Dave Nichols
Ruth Anne Norris
Ellen Pence
Tom Remes
Becky Richardson
Jenny Shepherd

STAFF PRESENT (CONT.)

Jamie Warner
Mindy White
Ralph Wisz
Jim Wright
Others

OTHERS PRESENT

Keno Hawker
Chris Moeser
Joan Newth
Dan Nowicki
Ralph Pew
Others

Councilmember Payne was not present at the meeting.

Mayor Brown commended the Mesa Fire Department on the efficient and professional manner in which firefighters extinguished a fire yesterday afternoon.

1. Discuss and consider permitting advertising at transit passenger shelters.

Transportation Director Ron Krosting and Transit Coordinator Jim Wright presented the Council with a brief report relative to this issue. Mr. Krosting informed the Council that

the advertisers would install the bus shelters at their expense which would result in a considerable cost savings for the City of Mesa. Mr. Krosting added that the advertisers would also perform all shelter maintenance duties. Mr. Krosting noted that the City would receive a minimal amount of revenue as a result of the program.

Mr. Krosting informed the Council that both the City of Phoenix and the City of Chandler have reported that their transit shelter advertising programs are operating successfully.

Councilmember Kavanaugh commented that City Attorney Neal Beets' previously stated concerns relative to the implementation of the proposed bus shelter advertising in relation to the City's Sign Code are valid but expressed the opinion that a distinction does exist between off-site commercial signage such as billboards and bus shelters. Councilmember Kavanaugh stated that it is the responsibility of government to ensure that citizens' health, safety and welfare are protected and added that the bus shelters would provide protection from the elements. Councilmember Kavanaugh stated that this issue should be further explored, particularly as it relates to the City's Sign Code, and added that the proposed transit shelter advertising proposal may encourage citizens to utilize mass transit.

Vice Mayor Gilbert said that he concurs with many of Councilmember Kavanaugh's remarks and encouraged staff to pursue the feasibility of working with surrounding cities on the development of shelters which would conform to the various cities' sign codes. Vice Mayor Gilbert commented that he would prefer to construct non-commercialized shelters should funding sources be available to do so in the future. Vice Mayor Gilbert stated that the issue requires additional consideration.

Councilmember Pomeroy expressed the opinion that additional discussions between the Council, staff and the City Attorney should occur prior to voting on this issue.

Councilmember Giles commented that he is more interested in the fact that the shelters would be constructed than the fact that they would contain advertising. Councilmember Giles concurred with Vice Mayor Gilbert's remarks relative to possible shelter funding in the future and added that the Council should consider the feasibility of allowing the voters to approve transit funding for this purpose.

Mayor Brown noted that funding, if approved at the 1998 election, would be limited and stated the opinion that this issue should be further explored for possible implementation. Mayor Brown thanked staff for their presentation.

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

- a. Transportation Committee meeting held June 6, 1997.

It was moved by Councilmember Giles, seconded by Councilmember Kavanaugh, that receipt of the minutes of the Transportation Committee meeting be acknowledged.

Mayor Brown declared the motion carried unanimously by those present.

3. Consider appointments to boards and committees.

Mayor Brown recommended the following appointments to Boards and Committees:

PLANNING AND ZONING BOARD

Daniel W. Brock

GREATER PHOENIX ECONOMIC COUNCIL

Carolyn Baecker
Mayor Wayne Brown

GANG PREVENTION STEERING COMMITTEE

Councilmember John Giles

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

Mayor Brown declared the motion carried by majority vote.

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

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

5. Scheduling of meetings and general information.

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

Monday, June 23, 1997, 5:45 p.m. - Regular Council Meeting

Tuesday, June 24, 1997, 7:30 a.m. - Special Council Meeting

Friday, June 27, 1997, 7:30 a.m. - Study Session

Friday, June 27, 1997, 8:30 a.m. - Utility Committee Meeting

Thursday, July 10, 1997, 4:00 p.m. - Policy Session (rescheduled from July 3, 1997)

6. Review items on the agenda for the June 23, 1997 Regular Council Meeting.

All of the items on the agenda were reviewed among Council and staff with no formal action taken. There was specific discussion relative to the following agenda items:

8. Introduction of the following ordinances and setting July 7, 1997 as the date for the public hearing on these ordinances.

- c. Annexing Guadalupe Road from Power Road to Hawes Road. (Case No. A97-2.)

Mayor Brown requested that this item be placed on the Consent Agenda.

- 13. Consider the sale of City-owned property at the southeast corner of 2nd Avenue and Country Club Drive and consider the proposal by Eskimo Air to purchase and develop this property.

Community Development Manager Wayne Balmer presented the Council with a brief synopsis of this issue. Mr. Balmer advised that the property has been available for sale since the widening of Country Club Drive and discussed efforts to market the property. Mr. Balmer noted that former Councilmember Keno Hawker purchased a section of the property but did not pursue the purchase of the remaining land. Mr. Balmer reported that two inquiries were received relative to the possible purchase of the land, one of which was from Eskimo Air. Mr. Balmer said that Requests for Proposals (RFP) were issued to the two inquiring parties. Mr. Balmer reported that Mr. Hawker has indicated that he was not aware of the fact that the City had accepted proposals for the sale of the property and has requested that the parcel be readvertised and rebid to ensure that all interested parties receive an opportunity to submit purchase proposals.

Discussion ensued relative to the fact that staff is recommending that the property be readvertised, the fact that Requests for Proposals were only issued to the two interested parties and was not generally advertised, City Manager Charles Luster's recommendation that the matter be readvertised, the fact that 'For Sale' signs had been posted on the property for an extensive period of time, and the fact that the RFP process utilized in this instance is not consistent with City procedures.

- 15. Consider the following cases from the Planning and Zoning Board and possible adoption of the corresponding ordinances:

- a. **Z96-87**

Mr. Balmer informed the Council that the applicant has submitted a booklet containing proposed modifications to the project in an effort to address and alleviate neighborhood concerns. Mr. Balmer added that the applicant has reached an agreement with the Gilbert School District relative to the date of initiating construction on the project.

- c. **Z97-15**

Mr. Balmer advised that a letter has been received from the applicant indicating his willingness to modify the plan in response to neighbors' concerns.

- d. **Z97-40**

Councilmember Kavanaugh commended the developer on his efforts to negotiate with the neighbors and develop a quality project.

Discussion ensued relative to the issue of open space.

h. Z97-44

Mr. Balmer advised that an agreement has been reached between the applicant and the neighbors and this item may be added to the Consent Agenda.

Mayor Brown requested that this item be placed on the Consent Agenda.

(City Manager Charles Luster advised that the Hall Circle issue will be added to the agenda for additional discussion and consideration by the Council.)

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

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

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

Rebecca Hill, 9458 East Impala Avenue, expressed concerns relative to the development of the Sierra Ranch subdivision. Ms. Hill spoke in opposition to the proposed plans and requested that the Council deny the applicant's request to amend zoning in the area.

Mayor Brown thanked Ms. Hill for her comments.

9. Adjournment.

Without objection, the Study Session adjourned at 8:31 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 20th day of June 1997. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 11th day of July 1997

BARBARA JONES, CITY CLERK