

COUNCIL MINUTES

September 9, 2002

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 9, 2002 at 4:48 p.m.

COUNCIL PRESENT

Mayor Keno Hawker
Dennis Kavanaugh
Rex Griswold
Kyle Jones
Janie Thom
Claudia Walters
Mike Whalen

COUNCIL ABSENT

None

OFFICERS PRESENT

Mike Hutchinson
Debbie Spinner
Barbara Jones

1. Review items on the agenda for the September 9, 2002 Regular Council Meeting.

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

The following conflicts of interest were declared: Mayor Hawker, Item 4j.
Councilmember Whalen, Item 9c.

The following items were placed on the consent agenda: None.

The following items were removed from the consent agenda: Item 5d (Councilmember Thom)
Item 6h (Councilmember Thom)
Item 9d (Vice Mayor Kavanaugh)

The following item was deleted: Item 6f.

2. Discuss and consider the current and past methods of disposing of firearms acquired by the Mesa Police Department.

City Manager Mike Hutchinson provided a brief overview of this agenda item and advised that Staff are present to respond to any questions Council might have at this time.

Mayor Hawker stated that his preference would be that unclaimed firearms, which the Police Department are unable to use, be sold to registered gun dealers rather than be destroyed. He

indicated that if Councilmembers are inclined to reconsider the City's current methodology of disposing of firearms, he would like to have this issue placed on a future agenda in order to provide an opportunity for citizens to provide input.

Councilmember Walters expressed concern relative to liabilities the City may incur as a result of selling firearms and inquired as to possible litigation costs.

Councilmember Griswold commented on his visit to the Police Department where he viewed several of the confiscated firearms. He noted that some had historical significance and stated the opinion that they would not constitute a danger to the community.

Councilmember Thom agreed with Councilmember Griswold's comments and added that selling the firearms could be a source of revenue for the City.

Vice Mayor Kavanaugh stated that the Councilmembers who considered the original ordinance identified appropriate methods of disposing of the firearms and added that other valley communities have followed Mesa's lead and enacted similar ordinances. He further stated that his preference would be to continue with the current ordinance.

Mayor Hawker advised that there is a consensus of Council to bring this matter forward for additional consideration and requested that staff proceed with background research relative to the issues of liability, other cities' experience, and litigation costs.

3. Hear a report, discuss and consider the Town Center Redevelopment Area sign ordinance and Sign Code enforcement.

Neighborhood Services Manager Bryan Raines presented a brief overview of the Town Center Redevelopment Area sign ordinance as well as Code Compliance enforcement efforts that have occurred to date.

Mr. Raines reported that two separate citizen committees brought forward a series of revisions to the Town Center sign code that included permitting A-frame and projecting type signage within the Pedestrian Overlay Area of Town Center (Country Club Drive to Centennial Way, First Street to First Avenue) as well as limiting sign window coverage to 30% in all Town Center Districts.

Mr. Raines informed the Council that, in respect to code enforcement, Staff works with the business owners when problems arise in an effort to educate and solicit voluntary compliance. He added that a minimal number of citations are issued in relation to the number of identifiable code issues. Mr. Raines advised that Staff is present to respond to any questions the Council may have.

Vice Mayor Kavanaugh outlined the process Council undertook in 1999 and again in 2001 in updating the sign ordinance and noted that the revision process was the result of concerns brought forward by members of the downtown business community. He noted that their goal was to have a more marketable, more visibly attractive downtown that would improve property values and business. He emphasized that as a result of input from the business community, he believes that the City of Mesa has the most business friendly sign ordinance in the valley.

Councilmember Walters stressed the importance of a fair application in the enforcement of the code. She stated that she favors the current code inasmuch as those who are directly impacted by it, the Town Center business owners, were involved in the process but added that if the laws are not being enforced as currently written, changes need to be made.

In response to a question from Councilmember Jones concerning businesses obstructed by the landscaping on Main Street, Mr. Raines advised that trees are being trimmed in such a way as to increase the tree's canopy height and that the use of A-frame signs has also been successful in improving visibility.

Senior Redevelopment Specialist Patrick Murphy detailed the approval process for A-frame signs and stated that the procedure is fairly simple. He added that businesses are also able to place hanging signs off the colonnade to address the landscaping issue.

In response to questions posed by Councilmember Whalen relative to "grandfather" situations and compliance issues, Code Compliance Director Bill Petrie stated that according to a legal opinion authored by former City Attorney Neal Beets, a business loses its legal non-conforming status when signage is replaced. Mr. Murphy reported that the majority of businesses in the Town Center have voluntarily complied with the provisions of the sign code.

(Due to time constraints, Mayor Hawker brought the discussion to a close.)

4. Hear an update on the Fire Chief recruitment process.

City Manager Mike Hutchinson provided a brief overview of the recruitment and selection process for Fire Chief.

5. Appointments to boards and committees.

Mayor Hawker recommended the following appointments to Boards and Committees:

HISTORIC PRESERVATION COMMITTEE

Ronald Peters Term ending June 30, 2004.

PARKS AND RECREATION BOARD

Dina Lopez Term ending June 30, 2003.

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

Carried unanimously.

6. Acknowledge receipt of minutes of boards and committees.

- a. Board of Adjustment meeting held August 13, 2002.
- b. Land Development Ad Hoc Committee meeting held August 26, 2002.

It was moved by Vice Mayor Kavanaugh, seconded by Councilmember Walters, that receipt of the minutes of the above-listed boards and committees be acknowledged.

Carried unanimously.

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

There were no reports on meetings and/or conferences attended.

8. Scheduling of meetings and general information.

City Manager Mike Hutchinson stated that the meeting schedule is as follows:

Thursday, September 12, 2002, 7:30 a.m. – Study Session

Thursday, September 12, 2002, 9:30 a.m. – Fire Committee Meeting

Friday, September 13, 2002, 8:30 a.m. – Fire Department Tour

Thursday, September 19, 2002, 7:30 a.m. – Study Session

Thursday, September 19, 2002, TBA – City Council Planning Session

9. Prescheduled public opinion appearances.

There were no prescheduled public opinion appearances.

10. Adjournment.

Without objection, the Study Session adjourned at 5:40 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 9th day of September 2002. I further certify that the meeting was duly called and held and that a quorum was present.

BARBARA JONES, CITY CLERK

bap