

# COUNCIL MINUTES

June 5, 2000

The City Council of the City of Mesa met in a Regular Council Meeting in the upper level meeting room of the Council Chambers, 57 East 1st Street, on June 5, 2000 at 5:45 p.m.

## COUNCIL PRESENT

Mayor Wayne Brown  
Jim Davidson  
John Giles  
Keno Hawker  
Bill Jaffa  
Dennis Kavanaugh (re-elected)  
Pat Pomeroy

## NEWLY-ELECTED COUNCIL

Mayor Keno Hawker  
Claudia Walters  
Mike Whalen

## OFFICERS PRESENT

Mike Hutchinson  
Neal Beets  
Barbara Jones

## COUNCIL ABSENT

None

The Invocation was given by Pastor Jerry D. Boyd, Holy Temple Church of God in Christ.

The Pledge of Allegiance was led by Jessica, Katie, and Kelley Whalen, daughters of newly-elected District 2 Councilmember Mike Whalen.

### 1. Remarks by outgoing Mayor and Vice Mayor.

Mayor Wayne J. Brown  
Vice Mayor John Giles

Mayor Brown and Vice Mayor Giles expressed appreciation to their families for the support they provided during their terms of office on the Mesa City Council. Mayor Brown and Vice Mayor Giles congratulated the newly-elected Mayor and Councilmembers and wished them good luck during their tenure in office. Mayor Brown and Vice Mayor Giles also thanked the citizens of Mesa for allowing them an opportunity to serve the City and commended staff on their performance.

### 2. Swearing in and seating of Mayor and three Councilmembers.

Keno Hawker sworn in by Genella Hawker.  
Dennis Kavanaugh sworn in by Myra Kavanaugh.  
Claudia Walters sworn in by Steven Walters and Letty Reeder.  
Mike Whalen sworn in by The Honorable James Keppel.

3. Remarks and introductions by Keno Hawker, Dennis Kavanaugh, Claudia Walters, and Mike Whalen.

Newly elected Mayor Keno Hawker and Councilmembers Kavanaugh, Walters and Whalen introduced and thanked the members of their families and those members of their committees who assisted them throughout the election process.

4. Inaugural speech by Mayor Hawker.

Mayor Hawker presented brief remarks relative to being elected to serve as Mesa's Mayor and thanked out-going Mayor Wayne Brown and Vice Mayor John Giles for their contributions to the City over the past four years. Mayor Hawker also thanked former City Manager C.K. Luster for his past efforts and guidance.

Mayor Hawker provided a brief outline of his future priorities and goals. (See Attachment.)

Mayor Hawker ended his remarks by expressing his appreciation to the citizens of Mesa for affording him the opportunity to serve as Mayor and challenged the citizens to become involved in the community.

5. Election of Vice Mayor.

It was moved by Councilmember Walters, seconded by Councilmember Whalen, that Councilmember Davidson be elected Vice Mayor.

Carried unanimously.

Mayor Hawker and the members of the Council congratulated Vice Mayor Davidson on his election to the position of Vice Mayor.

6. Approval of minutes of previous meetings as written.

It was moved by Councilmember Pomeroy, seconded by Councilmember Kavanaugh, that the minutes of May 9, 10, 11, 12, 15 and 25, 2000 be approved.

Carried unanimously.

7. Consider all consent agenda items.

At this time, all matters on the consent agenda were considered or were removed at the request of a member of the Council. All items identified in these minutes with an asterisk (\*) were approved with one Council action.

It was moved by Vice Mayor Davidson, seconded by Councilmember Kavanaugh, that the consent agenda items be approved.

Carried unanimously.

8. Conduct a public hearing on the proposed Fiscal Year 2000-01 Budget Plan.

Mayor Hawker announced that this is the time and place for a public hearing regarding the proposed Fiscal Year 2000-01 Budget Plan.

Kirby Allen, a resident of Mesa, addressed the Council and stated the opinion that the total amount of the proposed budget is excessive and should be reduced. Mr. Allen also spoke in opposition to increasing utility rates and expressed the opinion that a "socialist government" exists in Mesa.

Marilynn Wennerstrom, 1112 North Center Street, commented on the fact that last fall the Council approved charging Mesa residents a fee of \$5.00 to use the landfill and added that citizens are also required to show their drivers licenses and a City of Mesa utility bill in order to utilize the facility. Ms. Wennerstrom stated the opinion that the fee will foster and increase incidents of dumping waste in alleys and in portions of the outlying desert areas. Ms. Wennerstrom also expressed support for the City's "Clean Sweep" Program and requested that the Council reconsider charging the citizens of Mesa a fee to utilize the landfill.

There being no additional citizens present wishing to speak on this issue, the Mayor declared the public hearing closed.

Mayor Hawker thanked Mr. Allen and Ms. Wennerstrom for their comments.

Councilmember Walters thanked Ms. Wennerstrom for her input and commented on the positive benefits that have been realized as a result of the City's "Clean Sweep" Program. Councilmember Walters indicated her intention to further discuss the landfill issue with Ms. Wennerstrom.

In response to a request for clarification from Councilmember Pomeroy, Budget Director Jamie Warner advised that adoption of the tentative budget establishes a "maximum" budget amount. Mr. Warner added that final adoption of the budget is scheduled to occur at the June 26, 2000 Regular Council Meeting.

9. Consider tentative adoption of the proposed Fiscal Year 2000-01 Budget Plan.

It was moved by Vice Mayor Davidson, seconded by Councilmember Kavanaugh, that tentative adoption of the proposed Fiscal Year 2000-01 Budget Plan be approved.

Carried unanimously.

10. Conduct a public hearing for the following General Plan Amendment:

- \*a. **GP99-1** North of the northeast corner of Greenfield Road and Brown Road. Change from Neighborhood Commercial (NC) to Medium High Density Residential (5 to 15 du/ac) 8± acres. NEC Greenfield and Brown Roads, Ltd., owner; Mark Reeb, applicant. **CONTINUED FROM THE MAY 1, 2000 COUNCIL MEETING. (See Item No. 14j.) THE APPLICANT HAS REQUESTED THIS CASE BE WITHDRAWN.**

11. Consider the following liquor license applications:

- \*a. LUCY WINCEK, AGENT

Person and location transfer Bar License for Hollywood Alley, 2610 W. Baseline Road. This is an existing business and building. This transfer is from Thomas E. Lorenzo, Agent, Tommy's Billiards, Inc. 1987 W. Elliott Road, Chandler.

\*b. DAVID CISIEWSKI, AGENT

New Beer and Wine Store License for Quiktrip #417, 3563 E. Main Street. There is currently a mobile home sales business at this location. There has been no previous liquor licenses at this location.

\*c. JEANINE STENOIEN, AGENT

New Restaurant License or Chuy's Mesquite Broiler, 1948 E. McKellips Road. This is an existing building, no current liquor license at this location.

12. Consider the following contracts:

\*a. Two-year renewal of the supply contract for automotive brake parts as requested by Fleet Support Services.

The Purchasing Division recommends exercising the two-year renewal option with the original lowest overall bid meeting specification by Arizona Brake & Clutch Supply for annual purchases estimated at \$160,000.00 based on estimated requirements.

\*b. Two-year contract for custodial services at various City buildings as requested by the Development Services Department. These contracts cover approximately 75% of the City buildings.

The Purchasing Division recommends accepting the lowest priced proposal by Bonded Cleaning Contractors, Inc. for the Peripheral Facilities at \$290,963.96 and the Downtown Facilities at \$349,318.12. The combined award for both facilities is \$640,282.08 based on estimated annual requirements.

\*c. One-year renewal of the supply contract for drafting print paper for the Engineering Division.

The Purchasing Division recommends exercising the first of two one-year renewal options with the original low bidder for Sections A and D to Scott Blueprint at \$55,389.54 plus 7.20% sales tax of \$3,988.05 for a total of \$59,377.59 based on estimated requirements.

\*d. Two fire safety houses as requested by the Fire Department.

The Purchasing Division recommends accepting the low bid meeting specification by Mobile Concepts by Scotty at \$69,922.00 plus 5% use tax of \$3,496.10 for a total of \$73,418.10.

\*e. Two-year renewal of the supply contract for landscape sprinkler parts and supplies for warehouse inventory to be used by the Parks and Recreation, Building & Grounds Maintenance and Street Maintenance Divisions.

The Purchasing Division recommends exercising the two-year renewal option with the original lowest overall bid by Horizon, as primary contractor, for annual expenditures estimated at \$180,000.00.

In order to ensure continuity of supply, the Purchasing Division also recommends exercising the two-year renewal option with the secondary contract, the original second lowest overall bidder, Sprinkler World of Arizona.

- \*f. Two-year supply contract for magnesium anodes for Materials and Supply Division warehouse inventory to be used by the Utility Construction Division. These anti-corrosive devices are attached to natural gas lines.

The Purchasing Division recommends accepting the low bid by Farwest Corrosion Control Company at \$19,277.00 plus 5% use tax of \$963.85 for a total award of \$20,240.85 based on estimated requirements.

- \*g. One replacement microfilm reader-printer for the Building Inspections Division.

The Purchasing Division recommends accepting the low bid based on a 5 year cost analysis, by OSAM, Inc. at \$22,609.00 including maintenance and sales tax.

- \*h. Two-year supply contract for PE2406 pipe and fittings for Materials and Supply Division warehouse inventory to be used by the Utility Construction Division.

The Purchasing Division recommends accepting the lowest overall bid by Plexco at \$170,935.82 plus 5% use tax of \$8,546.79 for a total of \$179,482.61 based on estimated requirements.

- \*i. One replacement aerial lift bucket truck as requested by the Electric Division.

The Purchasing Division recommends accepting the low bid meeting specification by Altec Industries, Inc. at \$129,897.10 including options, sales tax and extended warranties.

- \*j. Network Hardware to improve the performance of Mesa's Intranet and Internet services, as requested by Information Services.

The Purchasing Division recommends accepting the low bid meeting specifications by Kent Datacomm for \$41,250.00 plus 7.4% sales tax of \$3,052.50 for a total of \$44,302.50.

- \*k. Two-year supply contract for portable radio batteries as requested by the Communications Division.

The Purchasing Division recommends accepting the low bid by Battery Zone, Inc. at \$37,996.00 plus 5% use tax of \$1,899.80 for a total of \$39,895.80 based on estimated requirements.

- \*l. Telemetry equipment as requested by the Development Services Department.

The Purchasing Division recommends accepting the overall low bid by Econolite Control Products at \$144,202.50 plus 5% use tax of \$7,210.13 for a total of \$151,412.63.

- \*m. Three underground piercing tools as requested by the Utilities Department.

The Purchasing Division recommends accepting the low bid by Lindco Equipment & Supply, Inc. at \$9,900.00 plus 7.10% sales tax of \$702.90 for a total of \$10,602.90.

- \*n. Two-year supply contract for ferrous chloride, a wastewater treatment chemical used by the Utilities Department.

The Purchasing Division recommends accepting the low bidder by Kemiron North America Corp. at \$252,280.00 plus 5% use tax of \$12,614.00 for a total of \$264,894.00 based on estimated requirements.

- \*o. Radio base station for the 800 MHz radio system as requested by the Communications Division.

The Purchasing Division recommends authorizing purchase from the State of Arizona contract with Motorola Comm & Electronics Inc. at \$12,897.05 plus 7.10% sales tax of \$915.69 for a total of \$13,812.74.

- p. Sulfide Control Station. City of Mesa Project No. 96-53.

This project will construct a new facility at the City's Sixth Street Service Center to add ferrous chloride to various sewer lines in the area.

Recommend award to low bidder, RDH Environmental Services, in the amount of \$400,927.93.

Mayor Hawker 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 Hawker yielded the gavel to Vice Mayor Davidson for action on this agenda item.

It was moved by Councilmember Pomeroy, seconded by Councilmember Walters, that the recommendation of staff be approved.

Upon tabulation of votes, it showed:

AYES - Davidson-Jaffa-Kavanaugh-Pomeroy-Walters-Whalen  
NAYS - None  
ABSTAIN - Hawker

Vice Mayor Davidson declared the motion carried unanimously by those voting and yielded the gavel back to Mayor Hawker.

- \*q. Brooks Reservoir Pump Station Improvements. City of Mesa Project No. 99-59.

This project will install a backup electrical generator to operate these pumps in the event an electrical power outage occurs. In addition, this project will upgrade various electrical components within the current pump station to bring them up to current standards.

Recommend award to low bidder, T & T Construction, Inc., in the amount of \$892,500.00.

- \*r. Automatic Irrigation System at Carson and Stapley Junior High School's Sports Fields. City of Mesa Project No. 00-113.

Mesa Public Schools and the City of Mesa have entered into an agreement whereby the City will install an automatic, overhead irrigation system to replace the existing flood irrigation. The school district in return will maintain the fields at a level equivalent to City athletic fields.

Recommend award to low bidder, Nickle Contracting, L.L.C. in the amount of \$130,436.00.

- s. Street Improvements at Various Locations. City of Mesa Project No. 99-101.

This project will correct minor roadway drainage problems at four locations. These locations of the project are shown on Exhibit "A".

Recommend award to low bidder, C.B. Contracting, Inc., in the amount of \$133,624.00.

Mayor Hawker indicated that he had a potential conflict of interest in connection with the matter currently under discussion which he wanted reflected in the minutes of the meeting and because of such conflict of interest, he would refrain from discussing and/or participating in any manner in connection with same.

Mayor Hawker yielded the gavel to Vice Mayor Davidson for action on this agenda item.

It was moved by Councilmember Walters, seconded by Councilmember Pomeroy, that the recommendation of staff be approved.

Upon tabulation of votes, it showed:

AYES - Davidson-Jaffa-Kavanaugh-Pomeroy-Walters-Whalen  
NAYS - None  
ABSTAIN - Hawker

Vice Mayor Davidson declared the motion carried unanimously by those voting and yielded the gavel back to Mayor Hawker.

- t. Highland Junior High School Athletic Field Lighting. City of Mesa Project No. 00-92.

This project will construct athletic field lighting on two (2) softball fields and one (1) baseball field. This project will be the first athletic field lighting project at a Gilbert school site in Mesa.

Recommend award to low bidder, AJP Electric, in the amount of \$168,686.86.

Mayor Hawker 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 Hawker yielded the gavel to Vice Mayor Davidson for action on this agenda item.

It was moved by Councilmember Pomeroy, seconded by Councilmember Walters, that the recommendation of staff be approved.

Upon tabulation of votes, it showed:

AYES - Davidson-Jaffa-Kavanaugh-Pomeroy-Walters-Whalen

NAYS - None

ABSTAIN - Hawker

Vice Mayor Davidson declared the motion carried unanimously by those voting and yielded the gavel back to Mayor Hawker.

13. Introduction of the following ordinances and setting June 26, 2000 as the date for the public hearing on these ordinances.

(Note: City Council introduction of ordinances does not necessarily reflect City Council approval of these ordinances. Introduction of ordinances sets in motion the public posting and advertising process for ordinances so that the City Council can hear from concerned citizens at the public hearing.)

\*a. Relating to massage therapy; amending Section 5-12-6 of the Mesa City Code; and repealing all conflicting ordinances.

\*b. **A00-3** Annexing the areas west of Meridian Road to the Mountain Road Alignment and North of Adobe Road to Brown Road.

14. Consider the following resolutions:

\*a. Vacating a portion of right-of-way on North Stapley Drive, north of McKellips Road - Resolution No. 7507.

The right-of-way is no longer needed.

\*b. Authorizing the City Manager to execute an Intergovernmental Agreement with the Maricopa County Library District concerning a Reciprocal Borrowing Program - Resolution No. 7508.

c. Authorizing the City Manager to execute an Intergovernmental Agreement between the Flood Control District of Maricopa County; the Maricopa County Department of Transportation; and the City of Mesa for cost sharing the design, rights-of-way acquisition, utility relocations, construction, construction management, operation and maintenance for the Ellsworth Road Channel - Resolution No. 7515.

Councilmember Jaffa 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.

It was moved by Vice Mayor Davidson, seconded by Councilmember Kavanaugh, that Resolution No. 7515 be adopted.

Upon tabulation of votes, it showed:

AYES - Hawker-Davidson-Kavanaugh-Pomeroy-Walters-Whalen  
NAYS - None  
ABSTAIN - Jaffa

Mayor Hawker declared the motion carried unanimously by those voting and Resolution No. 7515 adopted.

- \*d. Authorizing the City Manager to execute the contract amendment with the RPTA for Dial-a-Ride service - Resolution No. 7509.
- \*e. Authorizing the City Manager to execute the contract agreement with the City of Phoenix for operation of express route 533 and the extension of Route 532 - Resolution No. 7510.
- \*f. Authorizing the City Manager to execute the IGA between the City of Mesa and Maricopa County for operating costs associated with Special Transportation Services - Resolution No. 7511.
- \*g. Authorizing the City Manager to execute the contract amendment with Forsythe and Associates, Inc., for the operation of a fixed route bus service - Resolution No. 7512.
- \*h. Authorizing the City Manager to execute the agreement with Mesa Senior Services, Inc. for operating costs associated with the Enabling Transportation Program - Resolution No. 7513.
- \*i. Authorizing the City Manager to execute the Transit Services Agreement with the RPTA for operation of various fixed bus route services - Resolution No. 7514.
- \*j. **GP99-1** North of the northeast corner of Greenfield Road and Brown Road. Change from Neighborhood Commercial (NC) to Medium High Density Residential (5 to 15 du/ac) 8± acres. NEC Greenfield and Brown Roads, Ltd., owner; Mark Reeb, applicant. **CONTINUED FROM THE MAY 1, 2000 COUNCIL MEETING. THE APPLICANT HAS REQUESTED THIS CASE BE WITHDRAWN.**
- k. Granting an easement to Salt River Project for underground power at the Reed Park Skate Court - Resolution No. 7516.

This easement is necessary to provide power to the new skate court.

Vice Mayor Davidson 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.

It was moved by Councilmember Pomeroy, seconded by Councilmember Kavanaugh, that Resolution No. 7516 be adopted.

Upon tabulation of votes, it showed:

AYES - Hawker-Jaffa-Kavanaugh-Pomeroy-Walters-Whalen  
NAYS - None  
ABSTAIN - Davidson

Mayor Hawker declared the motion carried unanimously by those voting and Resolution No. 7516 adopted.

- I. Granting an easement to Salt River Project for underground power at the Dobson Ranch Golf Course - Resolution No. 7517.

This easement is necessary to provide power to a new irrigation pump.

Vice Mayor Davidson 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.

It was moved by Councilmember Kavanaugh, seconded by Councilmember Pomeroy, that Resolution No. 7517 be adopted.

Upon tabulation of votes, it showed:

AYES - Hawker-Jaffa-Kavanaugh-Pomeroy-Walters-Whalen  
NAYS - None  
ABSTAIN - Davidson

Mayor Hawker declared the motion carried unanimously by those voting and Resolution No. 7517 adopted.

15. Consider the following ordinances:

- \*a. Reducing the speed limit from 30 mph to 25 mph on Princess Drive from Recker Road to Power Road and increasing the speed limit from 40 mph to 45 mph on Stapley Drive from the Superstition Freeway (U.S. 60) to the south City limits, as recommended by the Transportation Advisory Board - Ordinance No. 3771.
- \*b. Amending Sections 11-13-2 and 11-18-9 specifying mandatory review of churches by the Design Review Board. **THIS CASE CONTINUED TO THE JULY 10, 2000 MEETING.**

16. Consider the following cases from the Planning and Zoning Board and possible adoption of the corresponding Ordinances:

- a. **Z00-14** The 1200 and 1300 blocks of North Greenfield Road - east side. Rezone from C-2 to R1-6-PAD (8± acres). This case involves the development of a Z-lot single residential subdivision. Mark Reeb, owner/ applicant. **CONTINUED FROM THE MAY 1, 2000**

**COUNCIL MEETING. THE APPLICANT HAS REQUESTED THIS CASE BE WITHDRAWN.**

P&Z Recommendation: Approval with conditions (vote: 6-0-1, Brock abstain)

1. Compliance with the basic development as described in the project narrative and as shown on the site plan, preliminary plat and elevations submitted, except as noted below.
  2. Compliance with the Residential Development Guidelines regarding building elevations.
  3. Add another one-story product to be approved through the Subdivision Technical Review staff.
  4. Compliance with all City development codes and regulations.
  5. Compliance with all requirements of the Development Services Department (Engineering and Traffic Engineering, etc.).
  6. Dedicate the right-of-way required under the Mesa City Code at the time of application for a building permit, at the time of recordation of the subdivision plat, or at the time of the City's request for dedication whichever comes first.
  7. Compliance with all requirements of the Subdivision Technical Review Committee.
  8. Compliance with letters dated February 17, 2000 and March 9, 2000 from Mark Reeb to the Planning Director which is included in the zoning case file.
  9. Owner granting an Avigation Easement and Release to the City, pertaining to Falcon Field Airport which will be prepared and recorded by the City (concurrently with the recordation of the final subdivision map, prior to the issuance of a building permit).
  10. Written notice be provided to future residents, and acknowledgment received that the project is within one mile of Falcon Field Airport.
  11. Noise attenuation measures to be incorporated into the design and construction of the homes to achieve a noise level reduction of 25 db.
- b. **Z00-16** North and east of the northeast corner of Power and McKellips Roads. Rezone from R1-35 and R1-35 (conceptual C-2) to C-2 (20± acres). This case involves the development of a Target Store, retail shops and pad buildings. Norman Saba, owner; Bruce Utterback, applicant - Ordinance No. 3779.

P&Z Recommendation: Approval with conditions (vote: 4-3, Brock, Parker, Bailey, nay).

1. Compliance with the basic development as described in the project narrative and as shown on the revised site plan, preliminary plat and elevations submitted, except as noted below.
2. Compliance with all City development codes and regulations.
3. Compliance with all requirements of the Development Services Department (Engineering and Traffic Engineering, etc.).
4. Dedicate the right-of-way required under the Mesa City Code at the time of application for a building permit, at the time of recordation of the subdivision plat, or at the time of the City's request for dedication whichever comes first.
5. All street improvements and perimeter landscaping to be installed in the first phase of construction.
6. Compliance with all requirements of the Subdivision Technical Review Committee.
7. Compliance with all requirements of the Design Review Board, including (but not limited to) the following:
  - provide landscape islands within the parking areas.
  - pedestrian/bicycle access from the campus.
  - reuse of existing vegetation (on site and campus site).

- landscape theme reflecting Upper Sonoran Desert vegetation.
  - incorporating seating and shade areas into the site design for the shops and pads.
  - use of textured paving at driveway entries.
  - common architecture for all buildings as depicted for the Target.
8. All pad buildings to be architecturally compatible with the center.
  9. Review and approval of a Special Use Permit by the Board of Adjustment for Comprehensive Sign Plan and/or Garden Center.
  10. No more than one drive-thru pad building within the development.

Councilmember Jaffa stated the opinion that the proposed use is not appropriate for this parcel of land, particularly in view of the fact that the site will be in such close proximity to the expanded Mesa Community College campus. Councilmember Jaffa added that the site is a gateway to the desert uplands area and said that he will not vote in support of this case.

Councilmember Pomeroy commented on the fact that the members of the previous Council supported the approval of this case and indicated his intention to vote in support of the requested zoning change.

Mayor Hawker and Councilmember Kavanaugh commented on the significant modifications that the applicant has agreed to and said that their support is based on the added stipulations.

Councilmember Whalen also spoke in support of the approval of this case and indicated support for the proposed stipulations.

Vice Mayor Davidson commented that although he voted in opposition to this case when it was originally proposed, a significant number of changes have been made to the project and said that he will vote in support of the applicant's request. Vice Mayor Davidson commented on the fact that the plan now contains connections to the Mesa Community College campus and commended the applicant for decreasing the number of drive-thru restaurant pads to one. Vice Mayor Davidson said that although he still has concerns regarding the lack of "sit-down" restaurants and a retail presence in the area, he is confident that these issues will be closely scrutinized by the Design Review Board.

Councilmember Walters indicated her support for the approval of this case and expressed the opinion that a vote in denial of the project would be inappropriate.

It was moved by Councilmember Kavanaugh, seconded by Councilmember Pomeroy, that Ordinance No. 3779 be adopted.

Upon tabulation of votes, it showed:

AYES - Hawker-Davidson-Kavanaugh-Pomeroy-Walters-Whalen  
NAYS - Jaffa

Mayor Hawker declared the motion carried by majority vote and Ordinance No. 3779 adopted.

- c. **Z00-21** 560 South Country Club Drive. Rezone from C-3 and R1-6 to R-3 (4± acres). This case involves the development of two story apartments. Vera Vasilov, owner; Kristi Kenney, applicant - Ordinance No. 3780.

P&Z Recommendation: Approval with conditions (vote: 5-2 Bailey, Parker nay).

1. Compliance with the basic development as described in the project narrative and as shown on the site plan and elevations submitted, except as noted below.

2. Compliance with all city development codes and regulations.
3. Compliance with all requirements of Development Engineering and Traffic Engineering.
4. Dedicate the right-of-way required under the Mesa City Code at the time of application for a building permit or at the time of the City's request for dedication whichever comes first.
5. Compliance with all requirements of the Design Review Board with specific attention to:
  - enhanced landscaping at the north and south property lines.
  - design and placement of stairways.
  - incorporation on the site of additional storage area for tenants.
  - corridor width to ensure a safe and usable environment.
  - location and design of open space and amenities.
6. Limit egress onto Date Street to emergency, service and commercial vehicles.

It was moved by Councilmember Kavanaugh, seconded by Councilmember Jaffa, that Ordinance No. 3780 be adopted.

In response to a question from Vice Mayor Davidson relative to whether the issue of access remains to be addressed, Planning Director Frank Mizner stated that the subject of pedestrian access was never raised at the Planning and Zoning Board meeting. Mr. Mizner added that the issue is a difficult one and explained that the neighbors are adamantly opposed to pedestrian access west of Date Street.

Additional discussion ensued relative to this case and Mr. Mizner responded to various questions posed by the members of the Council.

Upon tabulation of votes, it showed:

AYES - Hawker-Davidson-Jaffa-Kavanaugh-Pomeroy-Walters-Whalen  
ABSENT - None

Mayor Hawker declared the motion carried unanimously and Ordinance No. 3780 adopted.

- \*d. **Z00-24** The northwest corner of Baseline and Power Roads. Site Plan Modification (1.4 acres). This case involves the development of retail shops. Casa Sierra Investments, owner; David Church, applicant - Ordinance No. 3772.

P&Z Recommendation: Approval with conditions (vote: 7-0).

1. Compliance with the basic development as described in the project narrative and as shown on the site plan, and elevations submitted, except as noted below.
2. Compliance with all City development codes and regulations.
3. Compliance with all requirements of the Development Services Department (Engineering and Traffic Engineering, etc.).
4. Dedicate the right-of-way required under the Mesa City Code at the time of application for a building permit, or at the time of the City's request for dedication whichever comes first.
5. Recordation of cross-access easements.
6. Compliance with all requirements of the Design Review Board.

- \*e. **Z00-25** 6600 East Superstition Springs Blvd. Site Plan Modification (14.5± acres). This case involves the modification to an approved mixed-use development. William S. Oliver, owner/applicant - Ordinance No. 3773.

P&Z Recommendation: Approval with conditions (vote: 7-0).

1. Compliance with the basic development as described in the project narrative, executive summary and as shown on the site plan, amended preliminary plat and elevations submitted, except as noted below.
2. Compliance with the ordinance conditions for Z99-11 and Z97-88.
3. Compliance with all City development codes and regulations.
4. Compliance with all requirements of the Development Engineering and Traffic Engineering.
5. Dedicate the right-of-way required under the Mesa City Code at the time of application for a building permit, at the time of recordation of the subdivision plat, or at the time of the City's request for dedication whichever comes first.
6. Compliance with all requirements of the Subdivision Technical Review Committee.
7. Review and approval of a Special Use Permit by the Board of Adjustment for a comprehensive sign plan.
8. Owner granting an Avigation Easement and Release to the City, pertaining to Williams Gateway Airport which will be prepared and recorded by the City (Concurrently with the recordation of the final subdivision map, prior to the issuance of a building permit).
9. Written notice be provided to future residents, and acknowledgment received that the project is within five miles of Williams Gateway Airport.
10. Noise attenuation measures be incorporated into the design and construction of the homes to achieve a noise level reduction of 25 db.

- \*f. **Z00-26** 1742 North Lindsay Drive. Site Plan Modification (1.5± acres). This case involves the expansion of an existing boutique. Carol Tipotsch, owner/applicant - Ordinance No. 3774.

P&Z Recommendation: Approval with conditions (vote: 7-0).

1. Compliance with the basic development as shown on the site plan and elevations submitted, except as noted below.
2. Future staff review and approval of parking requirement for outdoor events.
3. Compliance with all requirements of Development Engineering and Traffic Engineering.
4. Dedicate the right-of-way required under the Mesa City Code at the time of application for a building permit, or at the time of the City's request for dedication whichever comes first.
5. Compliance with all requirements of the Design Review Board.
6. Full compliance with all current Code requirements, unless modified through appropriate review and approval of the variance(s) outlined in the staff report.
7. Compliance with letter dated March 6, 2000 from Carol Tipotsch.

- \*g. **Z00-27** 5520 East Baseline Road. Rezone from M-1 to AG (2.5± acres). This case involves consideration of a time limit condition and reversion of the current zoning designation. RockMart Landscaping Materials, owner; Kemp Morris, applicant. **THIS ITEM CONTINUED TO THE JULY 10, 2000 REGULAR COUNCIL MEETING.**

P&Z Recommendation: Approval with conditions (vote: 7-0).

1. Compliance with all AG district zoning regulations.

2. Future review and approval of any development proposal by the Planning and Zoning Board and the City Council.
3. Removal of existing business and operations at effective date of the Ordinance.

- \*h. **Z00-29** 107 North Greenfield. Rezone from R-4 to O-S (1± acre). This case involves the expansion of an existing dental office. Dr. Steven J. Gunnel, owner; Tim R. Nielsen, applicant - Ordinance No. 3775.

P&Z Recommendation: Approval with conditions (vote: 7-0).

1. Compliance with the basic development as shown on the site plan and elevations submitted, except as noted below.
2. Compliance with all City development codes and regulations.

- \*i. **Z00-31** The 5400 block of East Baseline Road (north side). Site Plan Review (20± acres). This case involves development of apartments. Langley Superstition Business Park, L.P., owner; FF Development, L.P., applicant - Ordinance No. 3776.

P&Z Recommendation: Approval with conditions (vote: 7-0).

1. Compliance with the basic development as shown on the site plan and elevations submitted, except as noted below.
2. Compliance with all City development codes and regulations.
3. Compliance with all requirements of the Development Services Department (Engineering and Traffic Engineering, etc.).
4. Dedicate the right-of-way required under the Mesa City Code at the time of application for a building permit, at the time of recordation of the subdivision plat, or at the time of the City's request for dedication whichever comes first.
5. All street improvements and perimeter landscaping to be installed in the first phase of construction.
6. Compliance with all requirements of the Design Review Board including but not limited to:
  - \_ walkway access being provided into the basins.
  - \_ possible use of turf for the entire basin area.

- j. **Z00-33** The 2200 block of North Center Street (west side). Rezone from AG to M-1 (8± acres). This case involves the development of a print shop. Owens Broadcasting, owner; Represented by: Michael Owens; Commercial Lithographers, applicant; Represented by: Stewart Hogue - Ordinance No. 3781.

P&Z Recommendation: Approval with conditions (vote: 7-0).

1. Compliance with the basic development as described in the project narrative and as shown on the site plan and elevations submitted, except as noted below.
2. Review and approval by the Planning and Zoning Board, Design Review Board and City Council of future development plans.
3. Compliance with all City development codes and regulations.
4. Compliance with all requirements of the Development Services Department (Engineering and Traffic Engineering, etc.).

5. Dedicate the right-of-way required under the Mesa City Code at the time of application for a building permit, at the time of recordation of the subdivision plat, or at the time of the City's request for dedication whichever comes first.
6. All street improvements and perimeter landscaping to be installed in the first phase of construction.
7. Compliance with all requirements of the Design Review Board.
8. If phase 2 is identical to phase 1 then review and approval by the Design Review Board only will be required.

Councilmember Whalen 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.

It was moved by Councilmember Kavanaugh, seconded by Councilmember Pomeroy, that the recommendation of staff be approved.

Upon tabulation of votes, it showed:

AYES - Hawker-Davidson-Jaffa-Kavanaugh-Pomeroy-Walters

ABSTAIN - Whalen

Mayor Hawker declared the motion carried unanimously by those voting and Ordinance No. 3781 adopted.

- \*k. **Z00-34** The southwest corner of Stapley and US 60. Site Plan Modification (14± acres). This case involves development of retail pad buildings. Bill Kelly, Glenwood Development Company, owner; Sean Lake, applicant - Ordinance No. 3777.

P&Z Recommendation: Approval with conditions (vote: 6-1 Parker nay).

1. Compliance with the basic development as shown on the site plan, preliminary plat and elevations submitted, except as noted below.
2. Compliance with all City development codes and regulations.
3. Compliance with all requirements of the Development Services Department (Engineering and Traffic Engineering, etc.).
4. Dedicate the right-of-way required under the Mesa City Code at the time of application for a building permit, at the time of recordation of the subdivision plat, or at the time of the City's request for dedication whichever comes first.
5. All street improvements and perimeter landscaping to be installed in the first phase of construction.
6. Compliance with all requirements of the Subdivision Technical Review Committee.
7. Compliance with all requirements of the Design Review Board.
8. All pad buildings to be architecturally compatible with the adjacent Denali office complex.
9. Modification of corporate architecture for each pad building in order to be compatible with the Denali office building if deemed necessary by the Design Review Board.
10. Review and approval of a Special Use Permit by the Board of Adjustment for a comprehensive sign plan.
11. Installation of the landscaped and texture paved boulevard as part of the first phase of development or with the first phase of the Denali project, whichever is first.

- \*1. **Z00-35** South of the southeast corner of Power and McDowell Roads. Site Plan Modification (4± acres). This case involves expansion of an existing retail center. LDR

Power & McDowell, owner; Represented by: Gary Davidson; Beus Gilbert PLLC, applicant; Represented by: Traci L. Carter - Ordinance No. 3778.

P&Z Recommendation: Approval with conditions (vote: 6-0-1 Kathe abstained).

1. Compliance with the basic development as shown on the site plan and elevations submitted, except as noted below.
  2. Review and approval by the Planning and Zoning Board, Design Review Board and City Council of future development plans of Phase 2B.
  3. Compliance with all City development codes and regulations.
  4. Compliance with all requirements of the Development Services Department (Engineering and Traffic Engineering, etc.).
  5. All street improvements and perimeter landscaping to be installed in the first phase of construction.
  6. Compliance with all requirements of the Design Review Board.
  7. All pad buildings to be architecturally compatible with the main retail center.
- \*m. **Z00-36** The southwest corner of 106<sup>th</sup> and Broadway. Rezone from R1-9-DMP (conceptual R-3) to R1-6-PAD-DMP (11± acres). This case involves development of patio homes. Curtis Coughlin, owner; Kaufman and Broad, applicant, Represented by: Leigh Cover. **THE APPLICANT HAS REQUESTED THIS CASE BE WITHDRAWN.**

P&Z Recommendation: Denial. (vote: 5-2, Zaharis, Petrie nay).

- \*n. **Z00-37** The 400 block of South Crismon Road (east side). Rezone from R1-9- DMP (conceptual R-3) to R1-6-PAD-DMP (11± acres). This case involves development of patio homes. Curtis Coughlin, owner; Kaufman and Broad, applicant, Represented by: Leigh Cover. **THE APPLICANT HAS REQUESTED THIS CASE BE WITHDRAWN.**

P&Z Recommendation: Denial. (vote: 7-0).

17. Consider the following subdivision plats:

- \*a. "ECHO CANYON PHASE I AT LAS SENDAS" The 3700 - 3800 blocks of North Ridgecrest (east side) 99 R1-15 PAD DMP single residence lots (47.72 ac.) Sonoran Desert Holdings, L.L.C., developer; Wood, Patel and Associates, Inc., engineer.
- \*b. "THE MANORS AT RED MOUNTAIN" The 6600 block of East Thomas Road (south side) 40 R1-6 PAD single residence lots (8.82 ac.) Homes by Judi of Arizona, L.L.C., developer; D & M Engineering, engineer.

18. Items from citizens present. (Maximum of three speakers for three minutes per speaker).

Mayor Hawker stated that there were no items from citizens present

19. Adjournment.

Without objection, the Regular Council Meeting adjourned at 7:18 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 Regular Council Meeting of the City Council of Mesa, Arizona, held on the 5<sup>th</sup> day of June 2000. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this \_\_\_\_ day of \_\_\_\_\_ 2000

\_\_\_\_\_  
BARBARA JONES, CITY CLERK

ATTACHMENT

**Mayor Keno Hawker, Inaugural Speech  
June 5, 2000**

I would like to thank all of Mesa's citizens for giving me the honor to serve as Mayor of Mesa. I am excited and humbled by the opportunity to help forge a new direction for our city.

As you know, Mayor Wayne Brown greatly honored the office and this city. He compiled a record of innovation and service that is enviable and challenging. I know that he will understand, when I say, that I want to build on what he began. I want to strive toward building an even better Mesa, one in which we can all be proud to live, work, and play.

Wayne, you set a lofty standard for the City of Mesa, and for the office of mayor. I promise to live up to that standard.

My thanks to Vice Mayor John Giles for your commitment to Mesa over the past four years. Our city is a better place because of your contributions.

To my mayoral opponent, Pat Gilbert, I believe that our friendship survived the rigors of a political campaign. I welcome Pat's assistance and continued leadership efforts in joining with me to enhance the sense of pride we feel for our community. And I welcome everyone, to join in the dialogue, and debate of issues, but always in a spirit of cooperation and in the pursuit of our common goals. To all the City Councilmembers - Dennis Kavanaugh, Pat Pomeroy, Jim Davidson, Bill Jaffa, Claudia Walters and Mike Whalen, I want you to know how much I look forward to a healthy and open discussion of issues. Each of you brings a unique perspective and expertise to the table. I value your contribution and pledge to work closely with each of you.

There's one more person who has meant a great deal to me and this city that I want to recognize: Our former City Manager, C.K. Luster. Chuck's legacy is a solid foundation for this city. His guidance poised this community for greatness, and because of his efforts, we are now ready to take the next step. I know that he's watching this broadcast. Thank you, Mr. Luster, for everything you did. (pause)

During my term as Mayor, I do not intend to reinvent everything. But neither do I come into this office as a mere caretaker. I intend to direct the efforts of the City of Mesa even more vigorously than before, toward a number of goals.

Here are my goals, and I expect you, the citizens of Mesa, to hold me to them.

**My first priority is public safety.** To me, keeping our community safe, and providing rapid response in an emergency, are two of the primary functions of local government. Our citizens must feel safe in their homes, their businesses and on our streets. I want to enhance the protection of our citizens and continue to improve the public safety of our community.

**As Mesa continues its inevitable growth, my second goal is to manage that growth properly.** Right now, more than four-hundred-thousand people live here, and in ten years, we'll add another one-hundred-thousand residents. We should always make decisions to assure that growth is a positive element for our community. **I believe that growth should fit within the context of a long-term vision for Mesa.**

Each new development should be required to bear the cost of becoming members of our community. New developments need to pay their fair share of City services. Existing residents should not be required to subsidize new development.

We've made progress on helping Mesa residents make a difference in their own neighborhoods. With our newly-formed Neighborhood Services Department, I see real opportunities for Mesa to take pride in all our neighborhoods. Our City is poised to become the finest example of neighborhood cooperation and improvement in the nation.

To manage growth, I propose creating a citizen-driven vision plan for our community to the year 2025. What do we want Mesa to become? What needs to be done to achieve our vision? I believe that the answers to these questions must start with Mesa residents and end with government implementing the vision of its citizenry.

**My third goal concerns employment opportunities in Mesa.** Let's change Mesa from a bedroom community to a boardroom community, by attracting new jobs and clean industry. Let's encourage the expansion of existing businesses. A dynamic business community will happen if we protect existing industrial and commercially zoned land in areas like Williams Gateway Airport. Let's educate our children for the new economy and offer a climate in which Mesa businesses can compete internationally.

**My next goal is to spend our tax dollars wisely.** Residents should have confidence that their elected officials are making decisions based on the best interest of the taxpayer. Items submitted to the voters for a bond election should be vital to the community. It is the job of the Mesa City Council to prioritize our expenditures while continuing to deliver reliable services. **To accomplish this goal, I propose creating a two-year operating budget and a five-year forecast budget.** These tools will prioritize the projects important to realize our long-term vision.

I want to explore, performance-based compensation for City employees, instead of automatic increases. Mesa has an excellent work force, with a strong and professional work ethic, but instead of automatic tenure, I believe that employees should be paid according to their performance. (pause) **Next, I want to stop government mandates.** We must re-establish the rights of citizens to decide what is best for their own lives and property. For example, I want to replace the one-dollar surcharge automatically added to the City utility bills with voluntary contributions. I want to stop compulsory sobriety checkpoints. **I want to protect the freedom of the individual**, which is why people formed governments in the first place.

**My next goal is to form a partnership with the education community.** In working toward educating the work force of tomorrow, I will encourage and participate in the formation of a strong alliance between City government, Mesa Public Schools, Mesa Community College, East Valley Institute of Technology, ASU East and the business community.

An educated work force is absolutely necessary if we are to attract new business, and retain and expand existing business.

**Finishing the projects currently planned for downtown Mesa is another goal.** We've worked diligently on the Arts and Entertainment Center, the Aquatic Center, and the expansion of the Mesa Southwest Museum. We're trying to continue the momentum to make our downtown a destination point. I'm still hearing positive comments about the bronze statues, which will return this fall. Quality-of-life programs, approved by voters through a half-cent sales tax in 1998, are critical to our community. To me, government funding, means building the facilities that serve as a catalyst. If we can increase the number of people downtown, then we'll spark private redevelopment.

**Another goal is to embrace new technology.**

The City has many success stories in using technology to increase efficiency and productivity. I want to take our technology to the next level.

In attracting new industry, high-speed data transmission capabilities are as important today as water and sewer services were yesterday. If Mesa is wired with fiber optics and broadband communications infrastructure, Mesa will be an attractive location for jobs created by our new high-tech economy.

**My next goal is to continue protecting the environment.**

The City has some excellent programs, including recycling in the blue and green barrels and backyard composting. I want to explore the possibility of conservatory land trusts as a buffer between residential and commercial development. I want to prohibit the blading of our upper Sonoran desert, and restrict residential development to the confines of building envelopes.

I am really excited about extending the Tempe Rio Salado project east into our community. Mesa has joined forces with the Salt River Pima-Maricopa Indian Community to study how to restore the dry Salt River and turn it into a recreational and environmental amenity for both communities.

Just think of it: The Salt River could be a fifty-mile recreational site with re-established riparian habitats, walking, running and biking trails from Saguaro Lake to West Phoenix. This site will be the largest lineal urban park in the country, and a definite "win-win" project for the entire county.

**My last goal is to communicate what we are doing that impacts your lives and property.** Our broadcasts on Mesa Channel 11 have allowed more people to be informed about decisions government is making. We're working to expand our broadcasts to include televising some of the meetings of our citizen boards and committees and more City of Mesa original programming.

Citizens continue to use our newly-designed website, and I want to continue improving the capabilities of the site for more interactive services. If you haven't already done so, please check out our website at [www.ci.mesa.az.us](http://www.ci.mesa.az.us). Part of the communication goal is to get out into the community even more than in the past and have more neighborhood meetings throughout the city. I want Mesa citizens, businesses and organizations to have more involvement in planning our City's future.

There you have it...my goals for the next four years. Before I close, let me briefly say that I have the utmost confidence in our City Manager Mike Hutchinson, his management team and the City of Mesa employees who are out there, doing their jobs every day, working for you -our residents, businesses and visitors. I thank them and appreciate their efforts.

To our citizens, I challenge you to become involved in this great community. There are so many opportunities to help make Mesa even better: forming a neighborhood watch, serving on a citizen board, helping at one of the human service agencies or the Friends of the Library or Friends of the Museum. There are as many possibilities as the mind can imagine. I encourage each of you to join with this Council in helping us deliver quality service. (pause) We are the 46th largest city in the United States. With vision and strong leadership, I believe Mesa can realize its full potential as a world-class city. Thank you.

-end-