



COUNCIL MINUTES

September 8, 1998

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 September 8, 1998 at 5:45 p.m.

COUNCIL PRESENT

Jim Davidson
John Giles
Keno Hawker
Bill Jaffa
Dennis Kavanaugh

COUNCIL ABSENT

Mayor Wayne Brown
Pat Pomeroy

POLICE OFFICER PRESENT

Lyle Burton

OFFICERS PRESENT

C.K. Luster
Neal Beets
Barbara Jones

Vice Mayor Giles excused Mayor Brown and Councilmember Pomeroy from the meeting.

Invocation was given by Reverend Donna Buckles, Church of the Saviour American Baptist.

Pledge of Allegiance was led by Girl Scouts Megan Casey and Sarah Sullivan.

1. Approval of minutes of previous meetings as written.

It was moved by Councilmember Kavanaugh, seconded by Councilmember Hawker, that the minutes of the August 31, 1998 Regular Council Meeting be approved.

Vice Mayor Giles declared the motion carried unanimously by those present.

2. Consider all consent agenda items.

All items listed with an asterisk (*) will be considered as a group by the City Council and will be enacted with one motion.

It was moved by Councilmember Jaffa, seconded by Councilmember Kavanaugh, that the Consent Agenda items be approved.

Vice Mayor Giles declared the motion carried unanimously by those present.

3. Conduct a public hearing for the following proposed annexation.

- a. **A98-5** The south side of East McDowell Road from North Waterbury Road east to North 90th Street (112.1+/- acres). Initiated by property owners.

Vice Mayor Giles announced that this is the time and place for a public hearing on the proposed annexation A98-5.

Carol Owens addressed the Council relative to this agenda item and stressed the importance of preserving rural desert areas and maintaining low density levels. Ms. Owens indicated that she does not oppose the proposed annexation but urged the Council to continue to protect the desert upland areas of the City.

Councilmember Jaffa recommended that this case be continued to allow staff an opportunity to pursue an agreement with the property owners relative to designating lower density levels for this particular parcel of land.

Community Development Manager Wayne Balmer clarified that the public hearing is to allow citizens to present input relative to the proposed annexation but added that he will inform the applicant of Councilmember Jaffa's concerns and recommendation.

Councilmembers Davidson and Kavanaugh concurred with Councilmember Jaffa's remarks relative to the establishment of lower density levels.

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

Vice Mayor Giles thanked Ms. Owens for her input.

4. Consider the following liquor license applications.

*a. JOSEPH SPADARO, PROGRAM DIRECTOR

Special Event License application of Joseph Spadaro, Program Director, St. Bridget's Knight of Columbus, a one-day fraternal event to be held Friday, October 16, 1998, from 6:00 p.m. to 12:00 Midnight, at 2213 N. Lindsay Road, St. Bridget's Catholic Church.

*b. YIK LAM CHEUNG, AGENT

Person transfer Beer and Wine Bar License for Best Hong Kong Dining, 1116 S. Dobson Road, #123-124. This transfer is from Weiming Li, Agent, Ceu Hing Incorporated, to Yik Lam Cheung, Agent, Well Success, Inc.

*c. BRUCE HOLBROOK, AGENT

New Beer and Wine Store License for Texaco Food Mart, 7546 E. Baseline Road. The license previously held at this location by John T. Buchholz, Agent, Texaco Refining and Marketing Inc., will revert back to the State.

*d. BRUCE HOLBROOK, AGENT

New Beer and Wine Store License for Texaco Star Mart, 8461 E. Broadway Road. The license previously held at this location by John T. Buchholz, Agent, Texaco Refining and Marketing Inc., will revert back to the State.

*e. BRUCE HOLBROOK, AGENT

New Beer and Wine Store License for Texaco Star Mart, 16 W. McKellips Road. The license previously held at this location by John T. Buchholz, Agent, Texaco Refining and Marketing Inc., will revert back to the State.

*f. BRUCE HOLBROOK, AGENT

New Beer and Wine Store License for Texaco Star Mart #320, 2005 W. Broadway Road. The license previously held at this location by John T. Buchholz, Agent, TRMI Holdings, Inc., will revert back to the State.

*g. HYE NA KIM, INDIVIDUAL

New Restaurant License for Ah So Japanese Restaurant III, 1919 S. Gilbert Road. This is a new business, no previous liquor licenses at this location.

5. Consider the following Bingo Application – Class A:

- *a. Christian Care Retirement Apartments, Inc.
Barbara Browne, Manager
6945 E. Main Street
Mesa, AZ 85207

6. Consider the following contracts:

- *a. Annual supply contract for gas meter and service valves for Materials & Supply Division Warehouse inventory as requested by the Utility Department. These gas meter valves will be used to install new customer service, repair or modify existing service.

The Purchasing Division recommends accepting the low bids as follows:

Items 1, 3 and 4 to A.Y. McDonald Mfg. Company at \$4,474.50 plus 5.0% use tax of \$223.72 for a total of \$4,698.22; and

Items 2, 5 and 6 to DMD Division Dresser Ind., Inc. at \$28,259.40 plus 5.0% use tax of \$1,412.97 for a total of \$29,672.37. The combined award is then \$34,370.59.

- *b. Pro-Log RTU sub-assemblies and accessories as requested by the Utility Operations Division. This equipment is used for repair and maintenance of the Utility SCADA system.

The Purchasing Division recommends accepting the low bids meeting specification as follows:

Item 1 to Myers Distributor at \$51,605.00 plus 5.50% sales tax of \$2,838.27 for a total of \$54,443.27;

Item 2 to Summit Electric at \$8,499.20 plus 6.80% sales tax of \$577.94 for a total of \$9,077.14; Items 3, 4, 5, and 7 to Industrial Electronic & Controls, Inc. (base bid) at \$5,140.30 plus 7.20% sales tax of \$370.10 for a total of \$5,510.40; and

Items 6, 8 and 9 to Black Box Company at \$16,764.40 plus 5.0% use tax of \$838.22 for a total of \$17,602.62. The combined award is then \$86,633.43.

- *c. Award a Demolition Contract for 238 North Mesa Drive.

Consider the demolition contract for 238 North Mesa Drive.

Recommend award to low bidder, A.C.R. Contracting in the amount of \$15,177.00.

7. Consider the following ordinances:

- *a. Amending section 10-3-17 of the Mesa City Code "Special Stops Required"; designating certain streets as through streets including Los Alamos from Decatur Street to Adobe Street; removing the parking prohibition on the west side of 88th Street from University Drive to a point 947 feet north of University Drive; and prohibiting parking on the west side of Udall from Main Street to a point 50 feet south of Main Street as recommended by the Traffic Safety Committee - Ordinance No. 3529.
- *b. Amending the Mesa City Code by adding a section pertaining to obstructing a fire lane to Title 10, Chapter 3; and providing for severability - Ordinance No. 3530.
- *c. **A98-4** The proposed annexation of an area around the southeast corner of Elliot and Power Roads (154± acres). Initiated by property owner. **THIS CASE HAS BEEN CONTINUED TO THE SEPTEMBER 22, 1998 REGULAR COUNCIL MEETING.**
- *d. **A98-7** The proposed annexation of an area east of Ellsworth Road and northwest of the Signal Butte Floodway (20.3± acres). Initiated by property owner - Ordinance No. 3531.

8. Consider the following resolutions:

- *a. Authorizing the City Manager to execute an easement for overhead power to Salt River Project, located at the 1200 block of West Guadalupe Road.

Easement is needed for the relocation of an overhead 69kv line related to a City intersection widening project. **CONTINUED FROM THE AUGUST 31 COUNCIL MEETING** - Resolution No. 7253.
- *b. Authorizing the City Manager to execute an easement for overhead and underground power to Salt River Project, located on the north side of Brown Road, between Lindsay Road and 32nd Street - Resolution No. 7254.

Easement is needed for the relocation of an overhead 69kv line for the widening of Brown Road related to a new subdivision. **CONTINUED FROM THE AUGUST 31 COUNCIL MEETING.**

9. Consider approving the award of a contract for Council districting services to National Demographics Corporation.

Assistant to the City Manager Jeff Martin presented a brief overview of the proposed contract between the City of Mesa and National Demographics Corporation regarding the establishment of Council districts. Mr. Martin noted that the firm will prepare digitized maps, perform data collection, prepare citizen kits and develop three separate alternative district configurations. Mr. Martin stressed the importance of entering into a contract with a reputable, experienced firm such as National Demographics Corporation and urged the Council to approve the proposed contract.

Vice Mayor Giles thanked Mr. Martin for his comments.

Bill Brando, 61 South Macdonald, expressed the opinion that additional consideration should be given relative to the composition of the Districting Commission members and said that the current membership does not include sufficient ethnic group participation. Mr. Brando recommended that two additional Commission members from varied ethnic backgrounds be appointed to serve on the Commission and added that the appointment of former Mayor Willie Wong and former Vice Mayor/Councilmember Jerry Boyd should be considered by the Council.

Vice Mayor Giles thanked Mr. Brando for his input.

It was moved by Councilmember Kavanaugh, seconded by Councilmember Hawker, that staff's recommendations relative to entering into a contract with National Demographics Corporation be approved.

Vice Mayor Giles declared the motion carried unanimously by those present.

9.1. Consider the following recommendation from the Transportation Committee:

- *a. Recommend approving an alternative color scheme for the walls along Gilbert Road from Southern Avenue to Main Street.

9.2 Consider the following recommendation from the Police Committee:

- *a. Recommend approving the proposed tattoo removal program, proposed by the Gang Prevention Steering Committee.
- *b. Recommend entering into an agreement with the Lojack Corporation to provide the Police Department with a stolen vehicle recovery system.

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

- a. **Z98-62** The 2800 through 4400 blocks of North Power Road (east side) east of the CAP Canal, and the 7000 through 7500 blocks of East McDowell Road (both sides). Consider the modification of the Development Master Plan for "Las Sendas" (1,838.3 acres). Sonoran Desert Holdings, L.L.C. owner/applicant; represented by Proehl Development. **THIS ORDINANCE WAS REVISED AFTER PLANNING AND ZONING BOARD APPROVAL AND REINTRODUCED AT THE AUGUST 31ST CITY COUNCIL MEETING** - Ordinance No. 3533.

P&Z Recommendations: Approval with conditions: (Vote 6-0; Petrie absent).

1. Compliance with the basic development as shown on the Las Sendas DMP (2nd Amendment) except as noted below;
2. Review and approval by the Planning Zoning Board and City Council of future development plans;
3. Any request for density transfers shall be considered on a case by case basis, with all parcels involved rezoned together;
4. A native plant inventory for each parcel shall be prepared prior to final plat approval; All disturbed areas must be fully revegetated. The larger materials should be those salvaged from the site itself. Additional plant material from the Las Sendas "Approved Plant List" may be used to augment the original desert;
5. Additional product elevations to be submitted for administrative approval by Planning Staff;
6. Compliance with all applicable City development codes and regulations;
7. The street connection between Las Sendas and Las Sendas Mountain, adjacent to Parcel 17, is to be a public street;
8. Compliance with all requirements of the Public Works Department (Engineering and Traffic Engineering, etc.);
9. Compliance with all requirements of the Design Review Board as necessary for non-residential development;
10. Dedicate the right-of-way required under the Mesa City Code at the time of recordation of a subdivision plat, or at the time of the City's request for dedication whichever comes first; and
11. Compliance with the applicant's letters dated July 28, 1998 and July 29, 1998.

It was moved by Councilmember Kavanaugh, seconded by Councilmember Hawker, that Ordinance No. 3533 be approved.

Councilmember Jaffa stated that although in his opinion Las Sendas represents an extremely high quality production home development in Mesa, he is opposed to lower density levels that have been established and cannot support the motion for approval.

Upon tabulation of votes, it showed:

AYES - Davidson-Giles-Hawker-Kavanaugh
NAYS - Jaffa
ABSENT - Brown- Pomeroy

Vice Mayor Giles declared the motion carried by majority vote of those voting and Ordinance No. 3533 adopted.

- *b. **Z98-66** Parcel 18 at Las Sendas. Rezone from R1-90-DMP to R1-7-PAD-DMP (11 acres). This case involves the future development of a 35 lot residential subdivision. Sonoran Desert Holdings, L.L.C. owner/applicant; represented by Proehl Development. **THIS ORDINANCE WAS REVISED AFTER PLANNING AND ZONING BOARD APPROVAL AND REINTRODUCED AT THE AUGUST 31ST CITY COUNCIL MEETING** - Ordinance No. 3532.

P&Z Recommendations: Approval with conditions: (Vote 6-0; Petrie absent).

1. Compliance with the basic development as described in the project narrative and as shown on the preliminary plat except as noted below;

2. Reservation of this parcel as an elementary school site for four years or until 75% of homes are sold in Las Sendas and Las Sendas Mountain, whichever is the later;
 3. Compliance with all City development codes and regulations;
 4. Compliance with all requirements of the Public Works Department (Engineering and Traffic Engineering, etc.);
 5. Dedicate the right-of-way required under the Mesa City Code 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 Subdivision Technical Review Committee; and
 8. Future development of Parcel 18 is limited to a maximum of 33 lots.
- c. **Z98-71** Parcels 45, 49 & 50 at Las Sendas. Rezone from R1-90-DMP to R1-7-PAD-DMP (59.16 acres). This case involves the development of a 194 lot residential subdivision. Sonoran Desert Holdings, L.L.C. owner/applicant; represented by Proehl Development. **THIS ORDINANCE WAS REVISED AFTER PLANNING AND ZONING BOARD APPROVAL AND REINTRODUCED AT THE AUGUST 31ST CITY COUNCIL MEETING** - Ordinance No. 3534.

P&Z Recommendations: Approval with conditions: (Vote 6-0; Petrie absent).

1. Compliance with the basic development as described in the project narrative and as shown on the preliminary plat except as noted below;
2. Compliance with the conditions stated in the "Memorandum of Understandings" dated March 4, 1998;
3. Compliance with all City development codes and regulations;
4. Compliance with all requirements of the Public Works Department (Engineering and Traffic Engineering, etc.);
5. Dedicate the right-of-way required under the Mesa City Code 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 Subdivision Technical Review Committee;
8. Compliance with the applicant's letters dated July 28, 1998 and July 29, 1998;
9. The park and open space to be developed as described in the project narrative; and
10. Provide a second entrance to the subdivision from McDowell Road.

It was moved by Councilmember Kavanaugh, seconded by Councilmember Hawker, that Ordinance No. 3534 be adopted.

Councilmember Jaffa stated opposition to changes in density levels and stated that he would not support the motion for approval.

Upon tabulation of votes, it showed:

AYES - Davidson-Giles-Hawker-Kavanaugh
NAYS - Jaffa
ABSENT - Brown-Pomeroy

Vice Mayor Giles declared the motion carried by majority vote of those present.

11. Consider the following subdivision plats:

- *a. "SANTA RITA RANCH PARCEL 7A" The 3100 block of S. Santa Rita (east side) 41 R1-7-DMP single residence lots (11.61 ac.) Stardust Development, Inc., developer; David Evans and Associates, Inc., engineer.
- *b. "RED MOUNTAIN PLAZA" The 6700 block of E. McKellips Road (north side) 3 C-2 commercial lots (24.09 ac.) St. Lawrence Holdings, McDonalds Corporation, and N. Douglas Strom and Donna R. Strom, developers; Huitt-Zollars, Inc., engineer.

12. Adjournment.

It was moved by Councilmember Jaffa, seconded by Councilmember Kavanaugh, that the Regular Council Meeting adjourn at 6:31 p.m.

Carried unanimously.

JOHN GILES, VICE 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 8th day of September 1998. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this ____ day of _____ 1998

BARBARA JONES, CITY CLERK