

COUNCIL MINUTES

August 25, 1997

The City Council of the City of Mesa met in a Regular Council Meeting in the upper level of the Council Chambers, 57 East 1st Street, on August 25, 1997 at 5:45 p.m.

COUNCIL PRESENT

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

COUNCIL ABSENT

None

POLICE OFFICER
PRESENT

Bon Gonzalez

OFFICERS PRESENT

C.K. Luster
Neal Beets
Barbara Jones

The Invocation was given by Rabbi Bonnie Koppell, Temple Beth Shalom.

The Pledge of Allegiance was led by Taylor Lines, Troop 483.

1. Approval of minutes of previous meetings as written.

It was moved by Councilmember Giles, seconded by Councilmember Pomeroy, that the minutes of August 1 and August 4, 1997, be approved.

Carried unanimously.

Mayor Brown recognized members of the Leadership Training Development (LTD) program. Mayor Brown explained that LTD is a nine month program designed to prepare individuals to serve on various committees and boards. Mayor Brown thanked the individuals for participating in the program.

2. 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 Councilmember Stapley, seconded by Councilmember Giles, that the consent agenda items be approved.

Carried unanimously.

3. Consider the following liquor license applications.

*a. RICHARD M. JULLO, AGENT

New Restaurant License for Keenie's Cookout, 2048 East Baseline Road, #C. The license previously held at this location by Albert Lopez, Agent, Lopez, Inc., will revert back to the State.

*b. ERNEST R. SERRANO, AGENT

New Restaurant License for Serrano's Mexican Food, 1021 South Power Road. The license previously held at this location by Scott S. Wohlgemuth, Agent, Sizzler Restaurants International went out of business June 2, 1996.

4. Consider the following contracts.

*a. Annual supply contract for spirit telephone equipment as requested by the Management Services Administration.

The Purchasing Division recommends accepting the low overall bid meeting specification to Scottsdale Communications MRC for annual expenditures estimated at \$25,000.00.

*b. 79 police rifles and accessories as requested by the Police Department. These rifles will replace shotguns carried by supervisors.

The Purchasing Division recommends accepting the low bid as follows:

Items 1, 2, and 3 to San Diego Police Equipment at \$23,529.36 plus 5% use tax of \$1,176.46 for a total of \$24,705.82. Item 4 will not be awarded at this time; it will be rebid at a later date for more competitive bids.

*c. 7,800 each 90 gallon capacity plastic refuse containers as requested by the Solid Waste & Facilities Division.

The Purchasing Division recommends accepting the low bid by Rehrig Pacific Company at \$334,932.00 plus 5% use tax of \$16,746.60 for a total of \$351,678.60.

*d. One replacement high cube van as requested by the Industrial Pretreatment Section of the Utility Operations Division.

The Purchasing Division recommends accepting the low bid meeting specification by Lou Grubb Ford at \$27,131.45, including optional items and applicable sales tax.

*e. One replacement distributor truck cab chassis as requested by the Street Maintenance Division.

The Purchasing Division recommends accepting the low bid by I-10 International at \$43,752.83 plus applicable sales tax of \$3,098.57 and extended warranties at \$1,329.00, for a grand total of \$48,180.40.

- *f. One-year renewal of the annual supply contract for fasteners and related automotive hardware as requested by Fleet Support Services.

The Purchasing Division recommends exercising the second and final one-year renewal option with the original lowest overall bid by Southwestern Supply Company, Inc. for annual purchases estimated at \$35,000.00.

- *g. Traffic signal controllers and related equipment as requested by the Transportation Division.

The Purchasing Division recommends accepting the low bids as follows:

Item 1 to Intersection Development Corp. at \$14,560.00 plus 7.05% sales tax of \$1,026.48 for a total of \$15,586.48; and

Items 2 and 3 to Econolite Control Products, Inc. at \$68,706.00 plus 5% use tax of \$3,435.30 for a total of \$72,141.30. The combined award is then \$87,727.78.

- *h. Three new replacement refuse trucks as requested by the Solid Waste Division.

The Purchasing Division recommends authorizing an additional purchase option with Arizona Great Basin Trucks from our previous RFB #96047, for Item 5, at \$496,584.00 plus applicable sales tax of \$35,051.17 and extended warranties at \$9,000.00, for a grand total of \$540,635.17.

- *i. One replacement dump truck for the Street Maintenance Division.

The Purchasing Division recommends authorizing an additional purchase option with Sundance Truck Center at \$71,850.00 plus \$225.00 for suspension upgrade plus 7.05% sales tax of \$5,081.29 and extended warranties at \$1,269.00 for a total of \$78,425.29.

- *j. Desert Wells No. 13.

This project involves the drilling and construction of a new potable water well in the Desert Wells water zone.

Recommend award to low bidder, Layne-Western Company, in the amount of \$282,500.00.

- k. Red Mountain Multi-Generational Center and Red Mountain Park Improvements.

This project involves the construction of a new building and new improvements to Red Mountain Park.

Recommend award to low bidder, Target General, Inc., in the amount of \$8,077,000.00.

Director of the Parks, Recreation and Cultural Department Joe Holmwood presented a brief overview of the proposed Multi-Generational Center and noted that two bonds were approved during 1987 to build a senior center and a community recreation center and added that it was determined that combining the two centers would provide optimal benefit for the

community. Mr. Holmwood referred to diagrams of the proposed center and outlined its location in the park, parking, landscaping, and the floor plan which includes a gym, multipurpose room, kitchen, fitness area, classrooms, office space for senior staff and Parks and Recreation staff, and a climbing wall. Mr. Holmwood advised that bids were 6 percent below the City Engineers estimates. Mr. Holmwood stated that construction on the facility would commence during the fall of 1997 and take approximately 12 to 15 months to complete.

In response to questions from Councilmember Kavanaugh, Mr. Holmwood noted that 4,000 square feet of the facility would be utilized by the Serrine Adult Day Care Center. Mr. Holmwood explained that the City of Mesa will own and manage the facility but would work in partnership with user groups.

Vice Mayor Gilbert expressed support for the project.

It was moved by Vice Mayor Gilbert, seconded by Councilmember Kavanaugh, that the Red Mountain Multi-Generational Center and Red Mountain Park Improvements be approved as recommended by staff.

Carried unanimously.

Luule Brandofino, 61 South Macdonald, indicated support for the Multi-Generational Center but questioned the proposed climbing wall. Ms. Brandofino expressed the opinion that the wall could create hazardous situations and stated concern with liability issues.

*1. Kleinman Park Tennis Courts Resurfacing.

This project involves resurfacing the eight (8) existing tennis courts at Kleinman Park which is located just west of Extension Avenue and north of 8th Avenue.

Recommend award to low bidder, General Acrylics, in the amount of \$32,772.00.

5. Consider the following resolution.

*a. Extinguishing a portion of a public utility easement at 1520 East Elmwood.

This easement is not being used and is no longer necessary. **CONTINUED FROM THE AUGUST 4, 1997 REGULAR COUNCIL MEETING. CONTINUED TO THE SEPTEMBER 15, 1997 REGULAR COUNCIL MEETING.**

*b. Authorizing the exchange of property between the City of Mesa and the Mesa Public Schools at 1100 South Crismon Road - Resolution No. 7090.

This exchange of properties is necessary for the construction of Superstition Skyline High School and an adjacent seminary building.

6. Consider the following ordinances.

- *a. Prohibiting eastbound left turns onto Power Road from the driveway with centerline located approximately 365 feet north of Baywood Avenue as recommended by the Traffic Safety Committee - Ordinance No. 3377.
- b. Amending Sections 8-6-2 and 8-6-3 pertaining to public nuisances and property maintenance - Ordinance No. 3388.

Mr. Balmer provided background history relative to the Nuisance Code. Mr. Balmer stated that proposed amendments to the Nuisance Code are the result of citizen complaints regarding conditions which staff is currently unable to address under the current code. Mr. Balmer explained that the proposed revisions to the Nuisance Code redefines specific areas of concern. Mr. Balmer noted that upon initiation of the proposed changes, the Housing Code of neighboring communities would continue to be more restrictive than Mesa's Nuisance Code.

Councilmember Giles indicated support for the proposed changes to the Nuisance Code and stressed the importance of initiating a Housing Code.

Councilmember Stapley expressed support for the proposed Ordinance and stated that the Nuisance Code pertains to only the outside areas of a residence.

It was moved by Councilmember Stapley, seconded by Vice Mayor Gilbert, that Ordinance No. 3388 be adopted.

Councilmember Kavanaugh indicated support for the proposed Ordinance and noted the importance of agenda Items 6b and 6c relative to the aesthetics of the community. Councilmember Kavanaugh expressed concurrence with Councilmember Giles relative to the importance of a Housing Code.

Upon tabulation of votes, it showed:

AYES - Brown- Gilbert-Giles-Kavanaugh-Pomeroy-Stapley
NAYS - Payne

Mayor Brown declared the motion carried by majority vote and Ordinance No. 3388 adopted.

- *c. Amending Sections 11-14-3 and 11-18-8 of the Zoning Ordinance relating to the Design Guidelines and the Design Review Board - Ordinance No. 3378.

7. Consider the following cases from the Planning & Zoning Board and possible adoption of the corresponding ordinances.

- *a. **Z97-58** The northeast corner of Brown Road and Greenfield Road. Site Plan Modification (14± acres). This case involves the development of a Walgreens. Northeast Corner Brown & Greenfield L.P., owner; Jason Morris, Applicant Ordinance No. 3379.

P&Z Recommendation: Approval with conditions (Vote 4-1-1; Shipley nay, Jaffa abstained, Brock absent).

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 Public Works 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. Compliance with all requirements of the Design Review Board; and
6. Review and approval of a Special Use Permit by the Board of Adjustment for comprehensive sign plan for the overall shopping center (except Walgreens).

- *b. **Z97-62** The 1800 - 1900 block of East Kael Street (both sides). Rezone from AG to R1-15 (2± acres). This case is to allow development of 2 single-residence lots. Metropolitan Land Co., owner/applicant - Ordinance No. 3380.

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

1. Compliance with the basic development as shown on the site plan submitted, except as noted below;
2. Compliance with all City development codes and regulations;
3. Compliance with all requirements of the Public Works Department (Engineering and Traffic Engineering, etc.);
4. 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; and
5. Compliance with all requirements of the Subdivision Regulations.

- *c. **Z97-63** 1452 South Ellsworth Road. Modification of an approved PAD and rezone from C-3 to R-2-PAD (1± acre). This case involves the expansion of Valle del Oro Mobile Home Park in order to add amenities. Valle del Oro, owner; Dwayne Lewis, applicant - Ordinance No. 3381.

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

1. Compliance with the basic development as shown on the site plan submitted, except as noted below;
2. Compliance with all City development codes and regulations; and
3. Compliance with all requirements of the Public Works Department (Engineering and Traffic Engineering, etc.).

- *d. **Z97-64** The 8500 block of East Southern Avenue (south side of frontage). Rezone from R-2-PAD to C-3 (1± acre). This case involves the development of adequate access for a mini-storage facility. Ron Johnson, owner; Dwayne Lewis, applicant Ordinance No. 3382.

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

1. Compliance with the basic development as shown on the site plan, except as noted below; and

2. Compliance with all requirements of the Public Works Department (Engineering and Traffic Engineering, etc.).

*e. **Z97-65** The 3300 and 3400 blocks of North Power Road (west side). Rezone from R1-9 (Conceptual R-3) and R1-90 to R1-6-PAD (21± acres). This case involves the development of patio homes. T. Rodovsky and David Ellis Trust, owner; Homes by Judi, applicant - Ordinance No. 3383.

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

1. Compliance with the basic development as described in the project narrative and as shown on the preliminary plat and elevations submitted, except as noted below;
2. Compliance with all requirements of the Public Works Department (Engineering and Traffic Engineering, etc.);
3. 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;
4. Compliance with all requirements of the Subdivision Technical Review Committee;
5. 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);
6. Written notice be provided to future residents, and acknowledgment received that the project is within two miles of Falcon Field Airport; and
7. Provide sound attenuation wall adjacent to the freeway right-of-way.

*f. **Z97-66** The 2000 and 2100 blocks of South Superstition Springs Blvd (west side). Rezone from C-2-DMP to R-2-PAD-DMP (15± acres). This case involves the development of patio homes. Suggs Homes, owner/applicant. **CONTINUED TO THE SEPTEMBER 15,1997 REGULAR, COUNCIL MEETING.**

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

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 requirements of the Public Works Department (Engineering and Traffic Engineering, etc.);
3. 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;
4. Compliance with all requirements of the Subdivision Technical Review Committee;
5. 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);
6. Written notice be provided to future residents, and acknowledgment received that the project is within four miles of Williams Gateway Airport;

7. Noise attenuation measures be incorporated into the design and construction of the homes to achieve a noise level reduction of 25 db; and
8. Provide a shaded tot lot in compliance with applicant's letter dated July 10, 1997.

*g. **Z97-68** 4616 East Southern Avenue. Rezone from AG to R-4 (1± acre). This case involves the conversion of an existing residence to a hospice. Joe M. and Josie G. Lopez, owners; Louis Mellaci, applicant - Ordinance No. 3384.

P&Z Recommendation: Approval with conditions (Vote 5-0-1; Farnsworth abstained, Brock absent).

1. Compliance with the basic development as shown on the site plan submitted, except as noted below;
2. Compliance with all requirements of the Public Works Department (Engineering and Traffic Engineering, etc.);
3. 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; and
4. Review and approval of a Special Use Permit by the Board of Adjustment for a hospice.

*h. **Z97-69** The southeast corner of Grove Avenue and Westwood. Site Plan Review (2.6 acres). The case involves development of a 3-story Residence Inn. NCS, owner; CSM Lodging, applicant - Ordinance No. 3385.

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

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 Public Works 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. Compliance with all requirements of the Design Review Board;
6. Compliance with the Fiesta Quadrant Design Guidelines; and
7. A 10' pedestrian access easement being provided along the south property line of the eastern building for a potential future walkway.

*i. **Z97-70** The southeast corner of Val Vista Drive and Hampton Avenue. Rezone from C-2 to C-1 (4± acres). This case involves development of an assisted living facility. Donald Meyers, owner; Edward Steinfeldt, applicant - Ordinance No. 3386.

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

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 Public Works 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. Compliance with all requirements of the Design Review Board;
6. Compliance with the project narrative; and
7. Compliance with applicant's letter dated July 17, 1997.

- *j. **Z97-72** The southeast corner of Baseline Road and Ellsworth Road. Modification of an approved DMP and rezone from R1-7-DMP to R1-9, R1-9-PAD, R1-7, R1-6, R1-6-PAD, R-2, R-3 and C-2 with a DMP overlay (637± acres). This case involves the establishment of zoning for the "Augusta Ranch" Development Master Plan. Augusta Ranch L.P., owner; Communities Southwest, Inc., applicant - Ordinance No. 3387:

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

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 Public Works Department (Engineering and Traffic Engineering, etc.);
4. 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;
5. Compliance with all requirements of the Subdivision Technical Review Committee, including product elevations;
6. Compliance with all requirements of the Design Review Board for the multi-residence and commercial tracts.;
7. Review and approval of a Special Use Permit by the Board of Adjustment for a comprehensive sign plan;
8. Compliance with the Project Narrative;
9. Notice and written acknowledgment be provided to future residents regarding the location of all multiple residence and commercial elements of the Master Plan;
10. Compliance with the agreement with Gilbert Schools;
11. 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);
12. Written notice be provided to future residents, and acknowledgment received that the project is within five miles of Williams Gateway Airport; and
13. Noise attenuation measures be incorporated into the design and construction of the homes to achieve a noise level reduction of 25 db.

- *k. **Z97-74** 8865 East Baseline Road. Modification of an approved PAD (630± acres). This case involves a modification to approved setbacks and zoning conditions for "Monte Vista." Homefree Village Resorts, owner; W. Ralph Pew, applicant. **THE APPLICANT REQUESTED THIS CASE BE CONTINUED TO THE SEPTEMBER 15, 1997 REGULAR COUNCIL MEETING.**

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

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; and
3. Compliance with the project narrative.

8. Consider the following subdivision plats.

- *a. "CAMBERLEY PLACE" - The 400 and 500 blocks of North Signal Butte Road (east side) 128 R1-6 single-residence lots (35.72 acres). Providence Development, Inc., developers; American Engineering Company, engineer.
- *b. "HERMOSA VISTAS" - The 2400 and 2500 blocks of North 24th Street (west side) 14 R1-15 single-residence lots (9.64 acres). Leonard V. Sevey Family Revocable Living Trust, developer; Standage and Associates, engineer.
- *c. "ROSEMONT BUSINESS CENTER" - The 1900 block of North Rosemont (west side) 7 M-2 industrial lots (7.96 acres). D.C.S.J. Ltd., developer; Standage and Associates, engineer.
- *d. "APACHE WELLS II, UNIT II" - The 2000 block of North Recker Road (west side) 90 R-2-PAD patio home lots (11.99 acres). Capital Title Agency, Inc., developer; Standage and Truitt Engineering, Ltd., engineer.

9. Adjournment.

It was moved by Councilmember Stapley seconded by Councilmember Pomeroy, that the Regular Council Meeting adjourn at 6:21 p.m.

Carried unanimously.

WAYNE BROWN, MAYOR

ATTEST:

BARBARA JONES, CITY CLERK

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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 25th day of August 1997. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 4th day of September 1997

BARBARA JONES, CITY CLERK