

COUNCIL MINUTES

May 30, 1997

The City Council of the City of Mesa met in a Study Session in the lower level meeting room of the Council Chambers, 57 East 1st Street, on May 30, 1997 at 7:34 a.m.

COUNCIL PRESENT

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

COUNCIL ABSENT

Jim Stapley

STAFF PRESENT

C.K. Luster
Joan Baier
Wayne Balmer
Neal Beets
Dennis Compton
Fred Conway
John Geier
Bill Haney
Joe Holmwood
Jim Hull
Mike Hutchinson
Barbara Jones
Sharon Joyce
Harry Kent
Wayne Korinek
Ron Krosting
Greg Marek
Keith Nath
Dave Nichols
Eric Norenberg
Ruth Anne Norris
Don Pfohl
Ellen Pence
Bryan Raines
Tom Remes
Becky Richardson
Sharon Seekins

STAFF PRESENT (CONT.)

Gordon Sheffield
Doug Tessoroff
Debbie Vickman
Jamie Warner
Michael Whalen
Mindy White
Others

OTHERS PRESENT

Carolyn Baecker
Bill Brando
Dan Brock
Theresa Carmichael
Jim Davis
Vince DiBella
Pat Langdon
Chris Moeser
David Molina
Dan Nowicki
Lori Osiecki
Ralph Pew
Tom Verploegen
Claudia Walters
Others

1. Discuss and consider the proposed Main Street median cuts and the Comida proposal.

Vice Mayor Gilbert 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.

Councilmember Pomeroy indicated that he had a potential conflict of interest (on one of the median cuts) 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.

Theresa Carmichael, President of the Mesa Town Center Corporation, informed Council that the Mesa Town Center Corporation concurs with City staff relative to the May 23, 1997 report which indicates that the median cuts stand on their own merits and are not connected to the Comida proposal. Ms. Carmichael stated that the proposed median cuts and two-way alleys are key issues relative to future redevelopment of the downtown area.

Vince DiBella, Mesa Town Center Corporation Business Development Chairman, referred to maps of the downtown area and spoke regarding the importance of the proposed median cuts and two-way alleys. Mr. DiBella emphasized safety issues, and explained that the City parking lots (Drew and Mahoney) cannot be seen from a thru street, are unique, land locked, and dysfunctional. Mr. DiBella explained that currently there are 21 mid-block left turn median cuts between Dobson Road and Stapley Drive on Main Street and that there has not been any left turn collisions reported due to the median cuts during the past year and a half. Mr. DiBella explained that two-way alleys are being requested to accommodate ingress and egress traffic, that left turns would not be permitted when exiting the alley, and that both pedestrians and motorists would have clear visibility.

Mr. DiBella acknowledged that the proposed median cuts do not conform with driveway and median cut guidelines but stressed that the guidelines were written for newly developed properties, that access to the two public parking lots is unique, and that median landscaping would not be negatively impacted by the median cuts. Mr. DiBella stated the opinion that due to the uniqueness of the downtown area, allowing the mid-block left turn median cuts should not set a precedence.

Ms. Carmichael reviewed the cost of the proposed median cuts and stated that the cost for two median cuts and 2 two-way alleys would be approximately \$300,000. Ms. Carmichael suggested that costs could be reduced by constructing the median cut and a two-way alley into the Drew (east) lot only, at this time.

Lori Osiecki, Mesa Town Center Corporation Residential Representative, informed the Council that 345 signatures were gathered during a three-day period in May to provide the Mesa Town Center Corporation with feedback and support relative to the median cut project. Ms. Osiecki said that an overwhelming community wide response was received in favor of the median cuts.

In response to a question from Councilmember Giles, Tom Verploegen, Executive Director of the Mesa Town Center Corporation, verified that the alley leading to the Mahoney (west) parking lot is approximately 50-feet wide and would provide sufficient room for two-way traffic.

Mayor Brown expressed appreciation to the representatives from the Mesa Town Center Corporation for the presentation.

Community Development Manager Wayne Balmer outlined driveway guidelines developed by Traffic Engineering and pointed out that the guidelines were established for newly developed properties. Mr. Balmer requested that the downtown area be granted a variance from the driveway guidelines based upon its age.

Mayor Brown suggested that the median cuts be voted upon separately.

Councilmember Pomeroy requested that consideration of the median cuts be continued until full Council is present.

Mayor Brown stated opposition to continuing the median cut proposals and noted the importance of proceeding.

It was moved by Councilmember Pomeroy, seconded by Councilmember Giles, that discussion and consideration of the proposed Main Street median cuts be continued to the June 2, 1997 Study Session.

Upon tabulation of votes, it showed:

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

Mayor Brown declared the motion carried by a majority vote of those present and voting.

2. Hear a report on the proposed multi-generational center at Red Mountain Park.

Assistant City Manager Mike Hutchinson explained that staff has developed plans for a multi-generational center to be located at Red Mountain Park. Mr. Hutchinson noted that plans are complete and ready for bid.

Community Services Manager Wayne Korinek 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 in 1994 City Council authorized staff to proceed with combining the two facilities into one multi-generational center. Mr. Korinek explained that the center is designed to meet the recreational and social service needs of East Mesa. Mr. Korinek referred to diagrams of the proposed center and outlined its location in the park, parking, landscaping, and the floor plan which includes a day care, the community center, and a senior center. Mr. Korinek expressed the opinion that approximately 15,000 to 20,000 individuals would utilize the facility weekly. Mr. Korinek explained that staff would address the Council during August 1997 to present the results of construction bids received during July 1997.

Mr. Korinek advised that construction will commence September 1997 with project completion one year later followed by the opening of the multi- generational center in late 1998. Mr. Korinek estimated the cost of the facility would be approximately \$7 million with annual operational costs of \$900,000 gross, \$650,000 net.

In response to a question from Mayor Brown relative to joint use of the facility by seniors and others, Mr. Korinek said that scheduling would be a key factor in providing a successful multi- generational facility.

In response to a question from Vice Mayor Gilbert, Dan Brock of Brock, Craig & Thacker Architects, Ltd., advised that only two rooms could be expanded, the gym to the north and the classrooms to the east. Mr. Brock expressed the opinion that new facilities should be built in the future rather than expanding the Red Mountain multi-generational facility.

Councilmember Kavanaugh stated approval of the facility and expressed the opinion that the Center would be heavily utilized and that there will be strong demand for additional facilities. Councilmember Kavanaugh commended staff for providing a facility that meets the needs of citizens.

Mayor Brown noted that the plans for the Center have been under development for a long period of time, that the facility will be expensive to build and operate, but will be a benefit to the community.

3. Hear reports concerning visits to Portland regarding the International Downtown Association.

Downtown Development Committeemember Jim Davidson expressed appreciation to the Council and City for sponsoring members of the Downtown Development Committee, staff, and Council on a recent trip to the International Downtown Development Association conference in Portland, Oregon. Mr. Davidson provided a brief overview of the conference and the main issues discussed.

Mayor Brown thanked Mr. Davidson for the presentation and expressed appreciation to all of the individuals that attended the conference.

4. Acknowledge receipt of minutes of meetings of various boards and committees and consider action items.

- a. Crime Prevention Advisory Board meeting held May 21, 1997
- b. Downtown Development committee meeting held May 8, 1997
- c. Transportation Committee meeting held May 23, 1997

It was moved by Councilmember Giles, seconded by Councilmember Kavanaugh, that receipt of the above listed minutes be acknowledged.

Mayor Brown declared the motion carried unanimously by those present.

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

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

6. Scheduling of meetings and general information.

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

Thursday, June 5, 1997, 4:00 p.m. - Policy Session

Friday, June 6, 1997, 7:30 a.m. - Transportation Committee

Friday, June 6, 1997, 8:00 a.m. - Study Session

Mr. Luster requested that an additional item to purchase 33.6 acres at McKellips and Greenfield Roads be placed on the agenda for the Regular Council Meeting to be held Monday, June 2, 1997. Mayor Brown expressed concern relative to safety issues and noted the importance of determining a use for the parcel.

7. Review items on the agenda for the June 2, 1997 Regular Council Meeting.

All of the agenda items were reviewed among the Council and staff, with no formal action taken. There was particular discussion with regard to the following agenda items:

4. Consider tentative adoption of the proposed Fiscal Year 1997-1998 budget plan.

In response to a question from Councilmember Giles, Assistant City Manager Mike Hutchinson explained that the funding request for the "Kids Matter" program has been reevaluated and decreased to \$200,000. Mr. Hutchinson noted that the program assists all ages of children but will focus on senior high students during fiscal year 1997-1998.

In response to Councilmember Giles, Mr. Luster updated Council relative to the requested Fire Safety Coordinator position.

5. Consider the following contracts.

*c. One replacement reel grinder as requested by the Golf Course.

The Purchasing Division recommends accepting the low bid by Horizon Turf at \$12,500.00 plus 7.05% sales tax of \$881.25 for a total of \$13,381.25.

In response to a question from Councilmember Giles, Parks, Recreation and Cultural Director Joe Holmwood said that the requested reel grinder would be shared by the two City golf courses.

- *e. Soccer field turf installation at HoHoKam Park as requested by the Parks, Recreation and Cultural Division.

The Purchasing Division recommends accepting the low bid by Gardner Turf Grass, Inc. At \$52,210.00 plus 7.25% sales tax of \$3,785.22 for a total of \$55,995.22.

Mayor Brown stated opposition and expressed concern relative to the cost of installing sod and questioned whether bermuda grass would be more cost effective.

Mr. Holmwood explained the importance of installing sod to enable the opening of soccer season during the fall of 1997.

Mayor Brown stated that agenda item 5e should be removed from the consent agenda for further comments.

- *j. One Mobile Tower-Trailer as requested by the Communications Division.

The Purchasing Division recommends accepting the low bid by Aluma Tower Company, Inc., at \$37,900.00 plus 5% Arizona use tax of \$1,895.00 for a total of \$39,795.00.

In response to a question from Councilmember Giles, Communications Director Don Pfohl advised Council relative to the requested mobile tower-trailer and explained its multiple uses. Mr. Pfohl stated that the requested system is expandable allowing for growth.

- 6. Introduction of the following ordinances and setting June 23, 1997 as the date for the public hearing on these ordinances.

- *a. Amending Sections 11-1-6, 11-5-4, and 11-6-3, regarding the definition, locational restrictions, and on-site parking requirements for "Assisted Living Facilities."

Mr. Balmer advised Council that requests for assisted living facilities for senior citizens have recently increased. Mr. Balmer added that parking demands are unique due to only one person occupying each unit.

In response to a question from Councilmember Gilbert, Mr. Balmer stated that the proposed changes in parking requirements would only impact larger multiple-unit developments.

- *b. **Z96-87** The southeast corner of Guadalupe Road and Ellsworth Road. Rezone from AG to R1-7, R1-6, R1-6-PAD, R-4 and C-2 within a Development Master Plan (317± acres). This case involves a DMP containing 1050± single-residential lots and future multi-residence and commercial tracts. **CONTINUED FROM THE MAY 19, 1997 COUNCIL MEETING.**

Community Development Manager Wayne Balmer informed Council that the applicant has revised the project plan, reduced the number of lots with less than 7,000 square feet and reduced the number of total lots, increased the open space, and redesigned the street system.

Mr. Balmer noted that the Gilbert Public School District has expressed agreement relative to the projects timeline.

Councilmember Kavanaugh expressed concern relative to the high-density level.

Vice Mayor Gilbert indicated a need to discuss product mix and density.

7. Consider the following resolutions.

- *g. Authorizing and directing the City Attorney to institute proceedings to acquire title or other interest in the City of Mesa under the power of eminent domain to certain real property necessary for redevelopment in the downtown area of the City of Mesa known as Site 16.

Councilmember Payne requested that this item be removed from the consent agenda.

Mr. Balmer informed Council that two of the five properties have been acquired but that negotiations are proceeding regarding the remaining three properties. Mr. Balmer stressed that staff will work with the property owners to assist them in their relocation efforts.

8. Consider the following ordinances.

- a. Amending Section 11-1-6, 11-13-2, and 11-14-3 of the Mesa Zoning Ordinance with regard to the definition and placement of commercial communications towers and equipment.
CONTINUED FROM THE MAY 19, 1997 COUNCIL MEETING.

In response to a question from Mayor Brown, Mr. Balmer noted that the communications towers and equipment may also be placed on light poles as well as other tall poles.

Mayor Brown expressed concern regarding the location and placement of the communications equipment and its impact on the community relative to these types of requests.

Councilmember Giles requested that item 8a be continued.

Mayor Brown stated that item 8a would be pulled from the agenda and placed on a future Policy Session agenda.

9. Consider renewal of the annual Greater Phoenix Economic Council (GPEC) contract.

In response to a question from Mayor Brown, Mr. Balmer advised that the renewal contract would increase \$5,000 over the previous contract. Mr. Balmer stated that the increase is due to Mesa's population growth.

Vice Mayor Gilbert expressed concern relative to the possibility of institutionalizing GPEC and added that the City's objectives should be made clear to GPEC. Vice Mayor Gilbert suggested that exit interviews be obtained from businesses to assist with the City's economic development.

10. Consider amendments to the Redevelopment Agreement for the downtown area of the City of Mesa known as Site 14.
 - a. Amending the Redevelopment Agreement for Site 14 regarding Brown & Brown Chevrolet.

Mayor Brown 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 Brown yielded the gavel to Vice Mayor Gilbert for action on this agenda item and left the room during discussion of this matter.

Councilmember Payne requested items relating to the acquisition of the Site 14 property; copies of agenda and minutes of the May 6, 1996 and May 17, 1996 Council meetings, final cost to the City, various other financial information relative to the financing of a \$2 million loan over a 10-year period, and the background data on Site 7.

City Attorney Neal Beets explained the proposed changes and specifically noted that the 10-year provision has been deleted, and that if property were to be converted to a different use, Brown & Brown would be required to pay the entire \$2 million back to the City or, the City would have the option to purchase the property for \$1.00 plus the value of the improvements.

In response to a question from Councilmember Payne, Mr. Beets noted that a commitment has been received from Brown and Brown to expand the dealership and sell only new cars on the site.

Councilmember Payne questioned whether the current agreement requires Brown and Brown to repay the City their investment within 10 years.

Mr. Balmer informed Council that by selling the property it would be placed on the tax rolls, the increase in space would allow Brown and Brown to sell additional new cars creating increased tax revenue, and assist in maintaining employment downtown.

Vice Mayor Gilbert requested information relative to the amount of funds the City would obtain by placing the property on the tax rolls.

Councilmember Giles asked that staff provide a report indicating the variance in property tax relative to the assessed value and property use.

With discussion on this item being completed, Vice Mayor Gilbert yielded the gavel to Mayor Brown.

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

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

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

Bill Brando, 61 South Macdonald, spoke regarding the sign code and its effects on the downtown businesses. Mr. Brando noted the importance of prioritizing projects and requested that Council consider changes to the sign code.

Mayor Brown thanked Mr. Brando for his input.

10. Adjournment.

Without objection, the Study Session adjourned at 8:58 a.m.

WAYNE B BROWN, MAYOR

ATTEST:

BARBARA JONES, CITY CLERK

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Study Session of the City Council of Mesa, Arizona, held on 30th day of May 1997. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 7th day of July 1997

BARBARA JONES, CITY CLERK