

COUNCIL MINUTES

September 24, 1996

The City Council of the City of Mesa met in a Study Session in the lower level meeting room of the Council Chambers, 57 East 1st Street, on September 24, 1996 at 4:45 p.m.

COUNCIL PRESENT

Mayor Wayne Brown
Pat Gilbert
John Giles
T. Farrell Jensen
Dennis Kavanaugh
Joan Payne
Jim Stapley

COUNCIL ABSENT

None

STAFF PRESENT

C.K. Luster
Pauline Backer
Wayne Balmer
Cindy Barris
Neal Beets
Tanya Collins
Fred Conway
Linda Crocker
Jerry Dillehay
Joe Holmwood
Mike Hutchinson
Lars Jarvie
Harry Kent
Ron Krosting
Karen Kurtz
Larry Lines
Rich Lorig
Jeff Martin

STAFF PRESENT (CONT.)

Frank Mizner
Erik Norenberg
John Oliver
Ellen Pence
Bryan Raines
Tom Remes
Denise Samuel
Sharon Seekins
Kevin Snow
Mindy White
Ralph Wisz

OTHERS PRESENT

Margie Frost
Dan Nowicki
Others

1. Discuss and consider a temporary winter shelter program for this fiscal year.

Neighborhood and Community Assistance Director Tanya Collins presented a request for a revised temporary winter shelter program for FY 1996-97.

Human Services Coordinator Karen Kurtz outlined the proposed program, noting that the National Guard Armory will only be available from December 9, 1996 through February 5, 1997 (a total of 59 days) due to an anticipated increase in personnel training at the facility and the expected delivery of an additional 70 lockers, resulting in minimal floor space to accommodate homeless guests. Ms. Kurtz stated that no suitable alternative sites have been located to date. Ms. Kurtz advised that the program will be restructured to eliminate the case management component due to the shorter program duration, thereby reducing operating expenses.

It was moved by Councilmember Stapley, seconded by Councilmember Jensen, to approve the proposed temporary winter shelter program for FY 1996-97.

Vice Mayor Gilbert expressed concern regarding the number of homeless families and children and encouraged staff to continue to pursue alternative sites.

In response to a question from Councilmember Kavanaugh, Ms. Collins stated that the Armory will be unavailable for the homeless program next year. Ms. Collins reported that staff is working with Mesa Community Action Network (MCAN) to conduct a feasibility study pertaining to a permanent homeless shelter and that it may be unnecessary to operate a temporary winter shelter program next year. Ms. Collins added that utilization of any site other than the Mesa Armory for the winter shelter would require compliance with the City's Council Use Permit process.

Brief discussion ensued concerning assistance provided to homeless individuals by other agencies.

Carried unanimously.

1.1 Review and consider amending the policy for prescheduled items and items from citizens present on the Council agenda.

Mayor Brown advised that he requested that this item be presented for discussion. Mayor Brown expressed concern that one individual is continuously requesting to be included on Council meeting agendas as a prescheduled speaker.

Vice Mayor Gilbert commented that a policy concerning speakers at Council meetings should be appropriate for the entire community and that an attempt to limit an individual's right to speak could intensify the situation.

Councilmember Stapley expressed the opinion that citizens should have an opportunity for dialogue with the Council but spoke in favor of further review of the matter. Councilmember Stapley stated that discussion at a Study Session rather than a Regular Council Meeting allows opportunity for Council response. Councilmember Stapley noted the role of television in prompting individuals to speak.

Mayor Brown reported that staff is investigating the possibility of televising Study Sessions.

Councilmember Jensen expressed the opinion that it would be difficult to limit the opportunity for a particular individual to continuously speak at meetings until such time that prescheduled requests to speak exceed openings available. Councilmember Jensen indicated support for stricter control of the type of dialogue permitted and suggested that consideration be given to inviting other individuals to speak.

Councilmember Payne stated the opinion that Council is unable to select who is allowed/not allowed to speak at meetings. Councilmember Payne expressed concern pertaining to some of the types of dialogue presented at meetings attended by children but noted the importance of freedom of speech.

Councilmember Giles commented that individuals do not have a constitutional right to appear on television and recommended consideration of alternatives such as speaking later in the meeting or participating only once every three months as a prescheduled speaker.

Mayor Brown suggested that this item be continued for further discussion.

2. Acknowledge receipt of minutes of meetings of various boards and committees.

- a. Traffic Safety Committee meeting held September 17, 1996.
- b. Transportation Committee meeting held September 19, 1996.
- c. Utility Committee meeting held September 18, 1996.

It was moved by Councilmember Jensen, seconded by Councilmember Stapley, to acknowledge the receipt of minutes of meetings of various boards and committees.

Carried unanimously.

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

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

4. Scheduling of meetings and general information.

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

Thursday, September 26, 1996, 4 p.m. - Police Committee Meeting

Friday, September 27, 1996, 7:30 a.m. - Study Session

Wednesday, October 2, 1996, 7:30 a.m. - Utility Committee Meeting

Thursday, October 3, 1996, 4 p.m. - Policy Session

5. Review items on the agenda for the September 20 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:

(Items on the agenda were discussed out of order purposes of clarity will remain as listed on the agenda.)

5. Consider the following contracts:

- *e. Two-year contract for sweeping of arterial streets as requested by the Transportation Division.

Mayor Brown stated that this item will be removed from the consent agenda.

1. Camera/radar traffic enforcement system.

Councilmember Giles noted that a motion for approval of this item will require a recommendation for a one- or two-year program.

In response to a question from Councilmember Giles, City Attorney Neal Beets advised that the contract includes a provision for termination upon 180 days' notice.

- *8.2. Consider recommending that the transaction fee and late fee be eliminated for various recreation programs as recommended by the Parks and Recreation Board.

Mayor Brown said that this item will be continued to the next Regular Council Meeting.

9. Consider the following case from the Planning and Zoning Board and possible adoption of the corresponding ordinance.
 - a. Z96-65 The 2100 and 2200 blocks of East McKellips Road (north side). Rezone from AG to R1-9 (25+/- acres). This case involves a proposed 62-lot single-residence subdivision. Leland and Louise Coleman, owners; Beazer Homes Holdings, Corp. (Hancock). **A ¾ VOTE IS REQUIRED TO APPROVE THE APPLICANT'S REQUEST.**

Community Development Manager Wayne Balmer advised that residents of Orange Blossom to the west of the site have withdrawn their petition in opposition to the project but stated that a protest remains from residents to the south, thereby maintaining the requirement for a 3/4 vote to approve the applicant's request.

Councilmember Kavanaugh commented that withdrawal of the petition in opposition should not be construed as support for the project by the residents of Orange Blossom.

6. Adjournment.

It was moved by Councilmember Stapley, seconded by Councilmember Jensen, that the Study Session adjourn at 5:16 p.m.

Carried unanimously.

WAYNE BROWN, MAYOR

ATTEST:

BARBARA JONES, CITY CLERK

Council Study Session
September 24, 1996
Page 5

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Study Session of the City Council of Mesa, Arizona, held on the 24th day of September 1996. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 9th day of October, 1996

BARBARA JONES, CITY CLERK