

COUNCIL MINUTES

June 18, 1997

The City Council of the City of Mesa met in a Special Session in the lower level meeting room of the Council Chambers, 57 East 1st Street, on June 18, at 9:00 a.m.

COUNCIL PRESENT

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

COUNCIL ABSENT

None

STAFF PRESENT

C.K. Luster
Neal Beets
Linda Crocker
Mike Hutchinson
Barbara Jones
Jeff Martin
Ellen Pence
Bryan Raines
Becky Richardson
Mindy White
Others

OTHERS PRESENT

Paul Fischer
Joe Guinn
Jan Hibbard
Chris Moeser
Dan Nowicki
Jerry Petrie
Ralph Pew
Marilynn Wennerstrom
Others

Mayor Brown advised that he has requested that Vice Mayor Gilbert serve as Chairman of the meeting. Mayor Brown yielded the gavel to Vice Mayor Gilbert.

1. Consider possible action regarding the investigation into Councilmember Stapley's conduct.

Vice Mayor Gilbert requested that City Attorney Neal Beets expand upon the contents of a report Mr. Beets prepared relative to this agenda item.

Mr. Beets briefly summarized the contents of a report he recently prepared regarding the appropriateness of Councilmember Stapley's contact with City Prosecutor Lowell Hamilton in connection with an investigative matter. Mr. Beets noted that copies of the report have been distributed to the Council and made available to the public.

Mr. Paul Fischer, an attorney representing Councilmember Stapley, briefly addressed the Council relative to this matter.

Discussion ensued among the Council.

It was moved by Councilmember Kavanaugh, seconded by Councilmember Payne, that Councilmember Stapley's conduct constitute grounds for forfeiture of office.

Upon tabulation of votes, it showed:

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

Vice Mayor Gilbert declared the motion failed.

Additional discussion ensued relative to this issue.

It was moved by Councilmember Giles, seconded by Councilmember Pomeroy, that the Council adopt a proposed resolution censuring Councilmember Stapley for his actions.

City Attorney Neal Beets stated the opinion that the Council's vote should be cast by paper ballot.

Upon tabulation of votes, it showed:

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

Vice Mayor Gilbert declared the motion carried by majority vote and Resolution No. 7053 adopted.

2. Adjournment.

It was moved by Councilmember Giles, seconded by Councilmember Pomeroy, that the Special Council meeting adjourn at 10:01 a.m.

Carried unanimously.

PAT GILBERT, VICE 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 Special Session of the City Council of Mesa, Arizona, held on the 18th day of June, 1997. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 11TH day of July 1997

BARBARA JONES, CITY CLERK