

COUNCIL MINUTES

September 11, 2000

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 11, 2000, at 5:45 p.m.

COUNCIL PRESENT

Mayor Keno Hawker
Bill Jaffa
Pat Pomeroy
Claudia Walters
Mike Whalen

COUNCIL ABSENT

Jim Davidson
Dennis Kavanaugh

OFFICERS PRESENT

Mike Hutchinson
Neal Beets
Barbara Jones

Mayor Hawker excused Vice Mayor Davidson and Councilmember Kavanaugh from the meeting.

Invocation by Mayor Hawker.

Pledge of Allegiance was led by Timothy Simmons.

1. Approval of minutes of previous meetings as written.

It was moved by Councilmember Pomeroy, seconded by Councilmember Jaffa, that the minutes of the July 24, 27 and August 28, 30, 2000 meetings be approved.

Mayor Hawker declared the motion carried unanimously by those present.

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 Pomeroy, seconded by Councilmember Jaffa, that the consent agenda items be approved.

Mayor Hawker declared the motion carried unanimously by those present.

3. Consider the following liquor license applications.

*a. SUHEIL ISSA ARBID, AGENT

New Beer and Wine Store License for Sam's Chevron, 357 N. Stapley Drive. The Beer and Wine Store License previously held at this location by Carol Ann Dudley, Individual, Dudleys First Issue, will revert back to the State.

*b. JOSEPH MICHAEL SULLIVAN, INDIVIDUAL

New Beer and Wine Store License for 7-Eleven 16179E, 839 S. Stapley Drive. The Beer and Wine Store License previously held at this location by Paul Beer, Agent, 7-Eleven 16179J, will revert back to the State.

4. Consider the following contracts:

*a. Two-year supply contract for 15kV aluminum electrical cable for the Materials & Supply Division inventory to be used by the Electric Utility Division.

The Purchasing Division recommends accepting the low bid meeting specification by Brown Wholesale for items 1, 2 & 3A at \$171,700.29, including applicable tax and based on estimated annual requirements.

*b. One replacement copier for the Human Resources Division.

The Purchasing Division recommends authorizing purchase from State of Arizona contract with Document Technologies at \$18,688.88, including applicable tax.

*c. Diskeeper Workstation and Server Software Site License as requested by Information Services.

The Purchasing Division recommends authorizing purchase from the State of Arizona contract with ASAP Software for a Diskeeper Workstation and Server Software Site License for a total of \$38,977.89, including applicable tax.

*d. Two-year supply contract for class 200 gas meters for Materials & Supply Division warehouse inventory as requested by the Utility Service Division.

The Purchasing Division recommends accepting the low bid by National Meter, Inc. at \$107,467.50, including applicable tax, and based on estimated annual requirements.

*e. Two-year supply contract for helicopter engine parts and repair as requested by the Police Department.

The Purchasing Division recommends accepting the low bid by Air Services Intl., LLC for annual purchases estimated at \$250,000.00.

- *f. Two-year supply contract for automotive lubricant and oil products as requested by Fleet Support Services.

The Purchasing Division recommends authorizing purchase from State of Arizona contract with Chevron USA for annual purchases estimated at \$76,471.10.

- *g. 60 rifles as requested by the Police Department.

The Purchasing Division recommends accepting the low bid by Specialized Armament Warehouse at \$46,552.74 plus 7.20% sales tax of \$3,351.80 for a total of \$49,904.54.

- *h. Two-year renewal of the supply contract for steel refuse containers as requested by the Solid Waste Division. These containers are used for multi-family residential, commercial and industrial accounts.

The Purchasing Division recommends exercising the two-year renewal option with the low bidder, Auerbach Products, for \$167,420.60, including applicable tax and based on estimated annual requirements.

- *i. Additional expenditure authority for existing traffic paint supply contract as requested by the Transportation Division.

The Purchasing Division recommends increasing the existing supply contract with the original low bid by Pervo Paint Company for a total additional expenditure authority of \$32,500.00, including applicable sales tax, and based on estimated requirements through February 2001.

- *j. Wood office furniture for the Mayor and City Manager's Offices.

The Purchasing Division recommends accepting the low bid by Simmons Contract Furnishings for a total of \$21,141.93 including applicable tax.

5. Introduction of the following ordinances and setting September 25, 2000 as the date of public hearing on these ordinances:

(Note: City Council introduction of ordinances does not necessarily reflect City Council approval of these ordinances. Introduction of ordinances sets in motion the public posting and advertising process for ordinances so that the City Council can hear from concerned citizens at the public hearing.)

- *a. Pertaining to Title 8, Health, Sanitation and Environment; amending Chapter 3 regarding solid waste; and providing penalties for the violation thereof.

5.1. Consider the following resolutions:

- *a. Authorizing the City Manager to execute an agreement between the City of Mesa and the Arizona Governor's Office of Highway Safety providing for funds to pay overtime to officers for education and enforcement of safety belt use. Resolution No. 7561.

- *b. Authorizing the City Manager to execute an agreement between the City of Mesa and the East Valley Institute of Technology for funding for the Safe Schools Program. Resolution No. 7562.

6. Consider the following cases from the Planning and Zoning Board and possible adoption of the corresponding Ordinances:

- *a. **Z00-22** The 8000-9100 blocks of East McKellips (both sides – between Hermosa Vista Drive and McLellan Roads). Rezone from R1-35-DMP (conceptual residential, office and commercial) to R1-35 (760± acres). This case involves the modification to conceptual approval of residential densities and land uses. State of Arizona, owner; represented by: Arizona State Land Department; City of Mesa, applicant. **CONTINUED FROM THE MAY 1, 2000 COUNCIL MEETING. THE APPLICANT HAS REQUESTED THIS CASE BE CONTINUED TO NOVEMBER 6, 2000.**

P&Z Recommendation: Approval with conditions (vote: 6-0-1, Boardmember Parker left the meeting prior to this case being heard).

1. Review and approval by the Planning and Zoning Board and City Council of all future development plans.
2. Compliance with all City development codes and regulations.

Councilmember Jaffa declared a potential conflict of interest and refrained from discussion/participation in this agenda item. City Attorney Neal Beets will research whether an actual conflict exists.

Planning Director Frank Mizner requested that this item be continued to the November 6, 2000 Council Meeting.

Carol Owens, P.O. Box 1017, Apache Junction, addressed the Council relative to this item. Ms. Owens commented that she is in favor of a continuance, and also expressed the opinion that the R1-35 zoning should be incorporated into the new General Plan. Ms. Owens noted that due to the fact the zoning case was originally approved in 1987, it would be appropriate to conduct a public hearing which would garner input from the residents who currently reside in the area.

Mayor Hawker thanked Ms. Owens for her input.

In response to a question from Mayor Hawker, Mr. Mizner explained that if the above-referenced property was sold today, it would be subject to the original zoning case which included detailed requirements for design guidelines, re-vegetation and infrastructure plans, however, the property is not presently scheduled for auction. Mr. Mizner added that Mesa faces the challenge to find a compatible and comprehensive land use plan that is amenable to both the City and the State.

It was moved by Councilmember Walters, seconded by Councilmember Pomeroy, that this agenda item be continued to the November 6, 2000 Regular Council Meeting.

Upon tabulation of votes, it showed:

AYES - Hawker-Pomeroy-Walters-Whalen
ABSTAIN - Jaffa
ABSENT - Davidson-Kavanaugh

Mayor Hawker declared the motion carried unanimously by those present and voting.

- *b. **Z00-52** The Southeast corner of University Drive and Sun Valley Blvd. Rezone from O-S and C-2 to R-4 and Site Plan Review (17± acres). This case involves the development of an apartment complex. Scott Homes Multi-Family, owner; Acanthus Architecture & Planning, applicant; Represented by: Charles Mosher. Ordinance No. 3809.

P & Z Recommendation: Approval with conditions (Vote: Passed 7-0)

1. Compliance with the basic development as described in the project narrative and as shown on the site plan, preliminary plat and elevations submitted, except as noted below.
2. Compliance with all City development codes and regulations.
3. Compliance with all requirements of the Development Services 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. All street improvements and perimeter landscaping to be installed in the first phase of construction.
6. Compliance with all requirements of the Subdivision Regulations.
7. Maximum density allowed for this site shall be 308 dwelling units or approximately 18 dwelling units per acre.
8. Retention for the project shall be maintained entirely on-site as is depicted on the proposed grading and drainage plan.
9. Compliance with all requirements of the Design Review Board. The Design Review Board review should include the following: upgraded detailing and features such as upgraded windows, metal grillage at the patio portions of the project or similar material, and additional exterior finish material (e.g. brick or stone) as the Design Review Board deems appropriate for the project.
10. Roof-mounted mechanical units shall be fully screened by the parapet of the building. Should ground-mounted units be used, these shall be screened by a minimum 4' high masonry wall with landscaping.

- *c. **Z00-53** West (approximately 500 ft.) of the northwest corner of Power Road and Superstition Springs Blvd. Site Plan Review (1.6 acres). This case involves the development of a retail building. Park-Gibbs Development Company, Inc., owner; Kurt Gibbs, applicant. Ordinance No. 3810.

P & Z Recommendation: Approval with conditions (Vote: Passed 7-0)

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 Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).
4. Compliance with all requirements of the Design Review Board with specific attention to the placement of required trash dumpsters to ensure a compatibility with the adjacent hotel and pedestrian areas and adherence to solid waste details.

- *d. **Z00-56** The southeast corner of Sossaman Road and University Drive. Rezone from County Rural-43 (S.U.); R-10; and Rural-43, R1-10, C-3 (S.U.) to R1-43, R1-9 and AG (115± acres). This case involves the establishment of City zoning on recently annexed property (case A00-5). Various owner; City of Mesa, applicant. Ordinance No. 3811.

P & Z Recommendation: Approval with conditions (Vote: Passed 7-0)

1. Review and approval by the Planning and Zoning Board and City Council of future development plans.
2. Compliance with all City development codes and regulations.
3. Compliance with the Mesa Residential Development Guidelines where applicable.
4. The parcels designated as R1-9 on Exhibit "B" are allowed a minimum lot size of 10,000 square feet.

- *e. **Z00-57** The northeast corner of 112th Street and Adobe (extending north to Brown Road). Rezone from county R1-18-RUPD and R1-10-RUPD to R1-15-PAD and R1-9-PAD (75 ± acres). This case involves the establishment of City zoning on recently annexed properties (case A00-3). Various owner; City of Mesa, applicant. – Ordinance No. 3812.

P & Z Recommendation: Approval with conditions (Vote: Passed 7-0)

1. Compliance with all City development codes and regulations.
2. Compliance with the Mesa Residential Development Guidelines where applicable.
3. Compliance with stipulations established by the Maricopa County Board of Supervisors for County Zoning Case Z98-95.
4. All streets within the Salerno Ranch subdivision are to be designated as private streets, to be owned and maintained in perpetuity by the homeowners association.

7. Items from citizens present.

Marilynn Wennerstrom, 1112 North Center, expressed concerns relative to alleged criminal activity concerning Ed Magedson and the fact he has recently received threatening phone calls regarding his web site.

Mayor Hawker thanked Ms. Wennerstrom for her input.

Mayor Hawker encouraged all registered voters to participate in the September 12, 2000 Primary Election.

Councilmember Whalen stated that whenever citizens receive threats of a criminal nature, they should immediately contact the Mesa Police Department and file a complaint.

8. Adjournment.

Without objection, the Regular Council Meeting adjourned at 6:03 p.m.

KENO HAWKER, 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 11th day of September 2000. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this ____ day of _____ 2000

BARBARA JONES, CITY CLERK