

## **CITY COUNCIL AGENDA**

### **COUNCIL CHAMBERS – 57 EAST FIRST STREET**

Tuesday, September 6, 2005  
5:45 P.M.

Invocation by President Terry D. Turk, The Church of Jesus Christ of Latter-day Saints.

Pledge of Allegiance.

Mayor's Welcome.

1. Consider all consent agenda items.

### **CONSENT AGENDA**

All items listed with an asterisk (\*) will be considered as a group by the City Council and will be enacted with one motion. There will be no separate discussion of these items unless a Councilmember so requests, in which event the item will be removed from the Consent Agenda and considered as a separate item.

- \*2. Approval of minutes of previous meetings as written.
3. Consider the following liquor license applications:

\*3a. KELLY PAUL VAUGHAN, AGENT

New Beer & Wine Store License for QuikTrip #478, 14715 S. Power Road. This is a new construction. No previous liquor license at this location. District #6.

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\*3b. KELLY PAUL VAUGHAN, AGENT

New Beer & Wine Store License for QuikTrip #496, 2657 S. Power Road. This is a new construction. No previous liquor license at this location. District #6.

\*3c. SITARAS DEMETRIOS, AGENT

New Restaurant License for My Big Fat Greek Restaurant, 6447 E. Southern Avenue. This is an existing building. The license previously held at this location by David N. Candland Jr., Agent, Comida Corporation closed 12/16/04. District #6

\*3d. ROBERT LEWIS MAURER, AGENT

New Restaurant License for Sau'tee, 1840 S. Val Vista Drive. This is a new construction. No previous liquor license at this location. District #2.

4. Consider the following contracts:

\*4a. One Replacement Aerial Lift Bucket Truck as requested by the Transportation Division. (Contract 2005142)

The Purchasing Division recommends accepting the low bid by Equipment Technology, Inc. at \$70,849.15, including options, extended warranty and applicable taxes.

\*4b. Two Replacement Vehicles as requested by the Utilities Water Division and the Transportation Division. (State Contract #AD040004 and #AD040002)

The Purchasing Division recommends authorizing purchase from the State of Arizona contract with Five Star Ford at \$28,248.83.

\*4c. Automated Blood Alcohol Analysis System as requested by the Police Department. (Sole Source)

The Purchasing Division recommends authorizing purchase from PerkinElmer Life and Analytical Science for \$58,117.49, including installation, warranty and applicable taxes.

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- \*4d. Three-year Supply Contract for Helicopter Airframe Parts and Repairs as requested by the Police Department. (Contract 2005155)

The Purchasing Division recommends accepting the lowest overall bid by Seaside Helicopters, Inc. at \$249,416.67 annually, based on estimated purchases.

- \*4e. Thirty-seven Workstations and One Office for Phase I of the Municipal Building Remodel as requested by Development Services. (State Contract #AD010202-002)

The Purchasing Division recommends authorizing purchase from the State of Arizona contract with Goodmans at \$142,848.71, including design, installation, delivery and applicable sales tax.

- 4f. Power Road Sewer Metering Station Improvements, City of Mesa Project No. 04-045-001 (**Only One Bid Received**).

This project will upgrade the electrical equipment and improve access to the sewer metering station. Improvements include relocating the access manhole outside of Power Road and outside its proposed future widening.

Recommend award to low bidder Highland Engineering, in the amount of \$399,200.00 plus an additional \$39,920.00 (10% allowance for change orders) for a total award of \$439,120.00.

5. Introduction of the following ordinances and setting September 19, 2005 as the date of public hearing on these ordinances:

- \*5a. **Z05-80 (District 6)** The 8800 block of East Germann Road (north side). Located north of Germann Road and west of Ellsworth Road (16.3 ac). Rezone from PEP and M-1 to O-S PAD, C-1 PAD and M-1 PAD and Site Plan Review. This request will allow for the development of a business park. Anson L. Call, owner; Randolph L. Carter, applicant. (**Held neighborhood meeting and contacted registered neighborhoods and homeowners associations**)

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P&Z Recommendation: Approval with conditions. (Vote: Passed 4-0-1 with Finter abstaining; Adams and Salas absent)

- \*5b. **Z05-81 (District 6)** The 3200 – 3300 block of South Sossaman Road (east side). Located at the half-mile point between Guadalupe and Elliot Roads, at and just south of the power line easement on Sossaman Road (22.61 ac). Rezone from R1-6 and M-1 to AG and Site Plan Review. This request will allow for the construction of the Paloma Community Church and several accessory sports fields. Pastor Al Wilsey, Paloma Community Church, owner; Steve Anderson, applicant. ***(Held neighborhood meeting and contacted registered neighborhoods and homeowners associations)***

P&Z Recommendation: Approval with conditions. (Vote: Passed 5-0 with Adams and Salas absent)

- \*5c. **Z05-82 (District 6)** The 9100 – 9200 block of East Guadalupe Rd (south side). Located at the southwest corner of Guadalupe Road and Ellsworth Road (1.6 ac). Site Plan Review. This request will allow for the development of a new convenience store and fuel canopy. Tim Holeman, owner; Justin Gubler, Architekton, applicant. ***(Contacted registered neighborhoods and homeowners associations)***

P&Z Recommendation: Approval with conditions. (Vote: Passed 5-0 with Adams and Salas absent)

- \*5d. **Z05-83 (District 6)** The 5600 – 6000 block of South Mountain Road (west side). Located South of Ray Road and east of Signal Butte Road (558± ac). Rezone from R1-6 DMP to R-2 PAD DMP, Modification to the Mountain Horizons Development Master Plan and Site Plan Review. This request will allow for the development of a cluster home project. Pulte Homes, Tim Loughrin, owner; Sean Lake, Pew & Lake, PLC, applicant. ***(Held neighborhood meeting and contacted registered neighborhoods and homeowners associations)***

P&Z Recommendation: Approval with conditions. (Vote: Passed 5-0 with Adams and Salas absent)

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- \*5e. **Z05-84 (District 5)** The 4200 block of East McDowell Road (south side). Located west of Greenfield Road and south of McDowell Road (19.28 ac). Site Plan Review. This request will allow for the development of a business park. Mike Wilson, owner; Michael Jorgensen, applicant. ***(Contacted registered neighborhoods and homeowners associations)***

P&Z Recommendation: Approval with conditions. (Vote: Passed 5-0 with Adams and Salas absent)

- \*5f. **Z05-85 (District 6)** The 2400 – 2500 block of South Signal Butte Road (east side). Located south of Baseline Road and east of Signal Butte Road (19 ± ac.). Rezone from AG to R1-6 PAD-DMP; Site Plan Review and Modification of the Sunland Springs Village Development Master Plan. This request will allow for the development of a townhome project as part of the Sunland Springs Village Development Master Plan. Craig Ahlstrom, Farnsworth Development, owner; Jeff Giles, applicant. ***(Held neighborhood meeting and contacted homeowners associations)***

P&Z Recommendation: Approval with conditions. (Vote: Passed 5-0 with Adams and Salas absent)

- \*5g. **Deleted.**

- \*5h. **CUP05-001TC (District 4)** 310 W. Main Street. Located on the NEC of Main Street and Country Club Drive. Request to obtain a Council Use Permit to allow a drive-thru lane in the TCC Zoning District for a new Taco Bell located at 310 W. Main Street. Mark Peterson, Hualapui Investments, owner; Greg Hitchens, Hitchens Associates Architects, applicant. ***(Property owners and tenants within 300 feet were notified by mail.)***

DDC Recommendation: Approval with conditions. (Vote: Passed 5-0)

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6. Consider the following resolutions:

- \*6a. Approving the Assessment Diagram Map for the McLellan Road Scalloped Street Assessment, Project No. 04-004-001.

This project installed street improvements along the north and south side of East McLellan Road from North Val Vista Drive east 1,265 feet +/-.

A portion of the project costs will be assessed to the adjacent property owners under the Scalloped Street Assessment laws.

- \*6b. Fixing October 10, 2005, as the Public Hearing for the proposed final assessments for the McLellan Road Scalloped Street Assessment, Project No. 04-004-001.

This project installed street improvements along the north and south side of East McLellan Road from North Val Vista Drive east 1,265 feet +/-.

A portion of the project costs will be assessed to the adjacent property owners under the Scalloped Street Assessment laws.

- \*6c. Approving and authorizing the City Manager to execute an Intergovernmental Agreement between the Regional Public Transportation Authority and the City of Mesa for fixed-route transit services.

- \*6d. Approving and authorizing the City Manager to execute an Intergovernmental Agreement between the Regional Public Transportation Authority and the City of Mesa for East Valley Dial-A-Ride services.

- \*6e. Extinguish a Public Utility Easement in the Red Mountain Freeway right-of-way near 56<sup>th</sup> Street Alignment.

The easement is no longer needed and ADOT has requested it be extinguished.

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- \*6f. Extinguish a temporary drainage easement at the northeast corner of Crismon Road and Hampton Avenue in Crismon Business Park.

This easement will be replaced by new reconfigured easements.

- \*6g. Approving and authorizing the City Manager to execute documents to transfer title of a reservoir site to East Mesa Investment Company IX Limited Partnership, its successors or assigns.

- 6h. Approving and authorizing the City Manager to execute an agreement for Fiscal Year 2005-2006 for the Downtown Banner System Management, Downtown Holiday Decorative Program Coordination, and Downtown Sculpture Program (Agreement) with Ultimate Imaginations Inc. (UII).

7. Consider the following ordinances:

- \*7a. Amending sections of the Mesa City Code pertaining to the National Flood Insurance program, adopting the revised Flood Insurance Study and Flood Insurance Rate Maps, and Floodplain Management Regulations.

- \*7b. Amending various sections of the Mesa City Code regarding the following traffic modifications:

No Parking: 10-3-24 (D) (Full Time No Parking)

On the west side of Hobson from McKellips Road to a point 330 feet south of McKellips Road. (east of Mesa Drive and south of McKellips Road, Council District 1)

On Inverness Avenue from Stapley Drive to Solomon. (west of Stapley Drive and south of the Superstition Freeway (U.S. 60), Council District 4)

On Eighth Avenue from Daley to Sierra. (east of Stapley Drive and north of Southern Avenue, Council District 4)

No Parking: 10-3-24 (F 9) (No Parking between 10:00 pm and 4:00 am)

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On Inverness Avenue from Stapley Drive to Solomon. (west of Stapley Drive and south of the Superstition Freeway (U.S. 60), Council District 4) (Remove Prohibition)

No Parking: 10-3-24 (F 10) (No Parking between 11:00 am and 5:00 pm)

On the north side of Fraser Drive East from Fraser Drive to a point 195 feet east of Fraser Drive, on the west side of Fraser Drive East from a point 405 feet south of 2<sup>nd</sup> Street to a point 835 feet south of 2<sup>nd</sup> Street, and on the south/east side of Fraser Drive East from Fraser Drive to a point 280 feet south of 2<sup>nd</sup> Street. (west of Stapley Drive and north of Main Street, Council District 1) (Remove Prohibition)

Speed Limits: 10-4-3 (45 mph) and 10-4-4 (40 mph)

Reduce the speed limit from 45 mph to 40 mph on Recker Road from a point 1,000 feet south of Thomas Road to the Red Mountain Freeway (Loop 202). (Recker Road south of Thomas Road, Council District 5)

- 7.1 Consider the following items regarding the Mesa Arts Center:
- a. Approval of an increase of \$220,000 to the change order allowance from budgeted project funds.
  - b. Approval of settlement payment to Layton Southwest in the amount of \$3,400,000 for construction claims.
  - c. Approval of a project contingency increase up to \$125,000 for Priority 1 project costs.
  - d. Approval of a project contingency increase up to \$275,000 for Priority 2 project costs.
- 7.2 Consider the following recommendations from the Police Committee:
- \*a. Authorizing the Purchasing Department to proceed with publishing a Request for Bids for City Vehicle Towing for Fleet Support Services.
  - b. Deleted

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8. Consider the following cases from the Planning and Zoning Board and possible adoption of the corresponding Ordinances:
  - 8a. **Z04-105 (District 6)** The 1600 block of South Signal Butte Road (west side). Located south of US 60 and west of Signal Butte Road (66.7 ac.). Requesting a Council Use Permit to allow the development of a Freeway Landmark Monument sign in conjunction with the construction of group commercial center. **(Contacted registered neighborhoods)**  
  
P&Z Recommendation: Approval with conditions. (Vote: Passed 5-1-1 with Finter nay and Carpenter absent)  
  
DRB Recommendation: Approval with conditions. (Vote: Passed 5-0-1 with DiBella abstaining)
  - \*8b. **Z05-73 (District 5)** The 4600 to 4800 block of East McKellips Road (south side). Located south and east of McKellips Road and Greenfield Road (33± ac.). Council Use Permit and Site Plan Review. This request is to allow for the development of a Sam's Club anchored retail center. Marsha G. Greene, owner; Sean Lake, Pew & Lake PLC, applicant. **(Held neighborhood meeting and contacted registered neighborhoods and homeowners associations)**  
  
P&Z Recommendation: Approval with conditions. (Vote: Passed 5-0 with Adams and Salas absent)
9. Items from citizens present. (Maximum of three speakers for three minutes per speaker).