



COUNCIL MINUTES

April 2, 2007

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on April 2, 2007 at 5:45 p.m.

COUNCIL PRESENT

Mayor Keno Hawker
Rex Griswold
Kyle Jones
Tom Rawles
Scott Somers
Claudia Walters
Mike Whalen

COUNCIL ABSENT

None

STAFF PRESENT

Christopher Brady
Debbie Spinner
Barbara Jones

Invocation by Vice Mayor Walters

Pledge of Allegiance was led by Dakota Bohl, Troop #253.

Mayor's Welcome.

Mayor Hawker welcomed everyone to the meeting. A videotaped presentation was aired that outlined meeting procedures and provided attendees with instructions relative to addressing the Council.

1. Take action on all consent agenda items.

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 or citizen requests, in which event the item will be removed from the consent agenda and considered as a separate item. If a citizen wants an item removed from the consent agenda, a blue card must be completed and given to the City Clerk prior to the Council's vote on the consent agenda.

It was moved by Councilmember Somers, seconded by Vice Mayor Walters, that the consent agenda items be approved.

Carried unanimously.

*2. Approval of minutes of previous meetings as written.

Minutes from the February 13 and March 8, 19 and 22, 2007 Council meetings.

3. Take action on the following recommendation from the Judicial Advisory Board:

- *3a. Reappointment of Magistrate Norine Richardson for a four-year term beginning July 1, 2007 and ending June 30, 2011.

4. Take action on the following liquor license applications:

*4a. St. Bridget's Catholic Church

This is a one-day religious event to be held on Saturday, May 5, 2007, from 5:30 p.m. to 10:00 p.m. at 2213 N. Lindsay Road. **(District 5)**

*4b. TJ's Bar and Grill

Person Transfer Bar License for TJ's Bar and Grill, 1734 E. Main Street, Suite 5, SL Wright Gilbert LLC – Applicant; Stephen R. Wright – Agent. The previous liquor license held at this location by Bruna Antoinette Eastman will transfer to the applicant. **(District 2)**

*4c. Cajun Seafood Corner

New Restaurant License for Cajun Seafood Corner, 2051 S. Dobson Road, Suite 18, HP Family LLC – Applicant; Paul Thanh Pham – Agent. No current liquor license at this location. **(District 3)**

*4d. Rock 'N' Skies

New Restaurant License for Rock 'N' Skies, 6209 E. Main Street, Suite #1, Nugent Family Holdings – Applicant; Virlie Louise Nugent – Agent. The previous license held at this location by Hornblowers LLC will revert back to the State. **(District 5)**

5. Take action on the following contracts:

- *5a. Thirty (30) vehicles for various City Departments (2 additions to the fleet and 28 replacements). (Budgeted Contingency Funds specifically reserved for vehicle acquisitions.) (State Contracts #SCC070002-4 & SCC07002-1.)

The Procurement Services Department recommends authorizing purchase from the State of Arizona contract with Midway Chevrolet at \$655,453.20, and Five Star Ford at \$27,179.69, including applicable sales tax, for a total award of \$682,632.89.

- *5b. Eight pick-up trucks as requested by the Fire Department (additions to the fleet). (State Contract #SCC070002-4) (Fire Prevention Inspection Fees).

The Procurement Services Department recommends authorizing purchase from the State of Arizona contract with Midway Chevrolet at \$166,331.64, including sales tax.

- *5c. One Fire pumper truck as requested by the Fire Department (addition to the fleet). (Mesa Contract #2007103) (Single Proposal).

The Procurement Services Department recommends authorizing purchase from Pierce Manufacturing, Inc. at \$563,860.70, including applicable use tax.

- 5d. Gas System Replacement Quarter Section 30A, City of Mesa Project No. 02-353-001 – **Deleted.**

- 5e. Jefferson Park lighting improvements, City of Mesa Project No. 01-336-001.

This project will improve the lighting conditions at Jefferson Park by upgrading the existing lighting and installing new fixtures, poles, and electrical service.

Recommend award to AV Electric Company, in the amount of \$483,754.50 plus an additional \$48,375.45 (10% allowance for change orders) for a total award of \$532,129.95. Funding is available in the Neighborhood Services Department approved FY 06/07 Capital Program – CDBG Funds.

Mayor Hawker declared a potential conflict of interest on agenda items 5e, f, g and h and said he would refrain from discussion/consideration of these agenda items. He yielded the gavel to Vice Mayor Walters for action on these items.

It was moved by Councilmember Whalen, seconded by Councilmember Jones, that the recommendation of staff be approved.

Upon tabulation of votes, it showed:

AYES – Griswold-Jones-Rawles-Somers-Walters-Whalen
NAYS – None
ABSTAIN – Hawker

Vice Mayor Walters declared the motion carried unanimously by those voting.

- 5f. CAP Water Treatment Plant shade structure, City of Mesa Project No. 02-395-001.

This project will install a shade structure that is needed to provide some relief to maintenance staff from the extreme summer temperatures at the CAP Water Treatment Plant while providing routine maintenance such as fabricating new plant equipment, repairing existing equipment, and shading the racks of stored materials at the site.

Recommend award to EMC Builders, in the amount of \$41,845.00 plus an additional \$4,184.50 (10% allowance for change orders) for a total award of \$46,029.50. Funding is available from the FY 06/07 approved Water Bonds.

It was moved by Councilmember Griswold, seconded by Councilmember Jones, that the recommendation of staff be approved.

Upon tabulation of votes, it showed:

AYES – Griswold-Jones-Rawles-Somers-Walters-Whalen
NAYS – None
ABSTAIN – Hawker

Vice Mayor Walters declared the motion carried unanimously by those voting.

- 5g. Force Main Air Relief Valve Repair/Replacement Project, City of Mesa Project No. 05-062-001.

Three wastewater force mains exist between the Greenfield Water Reclamation Plant and the Southeast Water Reclamation Plant. These force mains are partially owned by the Town of Gilbert and the Town of Queen Creek. Many locations throughout these lines require an air release valve to release air that becomes trapped in the force mains. The valves and associated piping has become unreliable and prone to breaks. Therefore, the valves are in need of an overhaul or replacement. This project will result in a more reliable wastewater system by allowing trapped air to be released automatically from the force mains.

Recommend award of the construction phase service contract to the Contract Manager at Risk, B & F Contracting, Inc., with the Guaranteed Maximum Price (GMP) of \$882,943.16 plus an additional \$88,294.32 (10% allowance for change orders) for a total award of \$971,237.48. Funding is available from the Utilities Wastewater Capital Bond Program. The City will be reimbursed from the project partners in the amount of \$301,083.57 (31%) from the Town of Gilbert and \$139,858.17(14.4%) from the Town of Queen Creek.

It was moved by Councilmember Somers, seconded by Councilmember Whalen, that the recommendation of staff be approved.

Upon tabulation of votes, it showed:

AYES – Griswold-Jones-Rawles-Somers-Walters-Whalen
NAYS – None
ABSTAIN – Hawker

Vice Mayor Walters declared the motion carried unanimously by those voting.

- 5h. Air Sparging and Soil Vapor Extraction Remediation at the 6th Street Service Center, City of Mesa Project No. 05-909-001.

This project will remediate the soil and groundwater contamination that resulted from leaking underground fuel storage tanks at the 6th Street Service Center.

Recommend award of the construction phase service contract to Conestoga-Rovers and Associates with a Guaranteed Maximum Price (GMP) of \$896,848.61 plus an additional \$89,684.86 (10% allowance for change orders) for a total award of \$986,533.47. Funding is available from the established Environmental Programs 6th St. Leaking Underground Storage Tank Remediation capital project fund.

It was moved by Councilmember Somers, seconded by Councilmember Jones, that the recommendation of staff be approved.

Upon tabulation of votes, it showed:

AYES – Griswold-Jones-Rawles-Somers-Walters-Whalen
NAYS – None
ABSTAIN – Hawker

Vice Mayor Walters declared the motion carried unanimously by those voting.

Vice Mayor Walters yielded the gavel back to Mayor Hawker.

6. Introduction of the following ordinances and setting April 16, 2007, as the date of the public hearing on these ordinances:

- *6a. **Z07-17 (District 2)** 1744 South Val Vista Drive. Located south of the US 60 Freeway on the west side of Val Vista Drive (66± ac.). Council Use Permit. This request will allow the development of a Freeway Landmark Monument sign for Dana Park Village Square. Village Square Dana Park, LLC/Mike Clements, owner; Mike Clements/Vince DiBella, applicant. *(Notified property owners, registered neighborhoods and homeowners associations.)*

P&Z Recommendation: Approval with Conditions. (Vote: 7-0).

DRB Recommendation: Approval with Conditions. (Vote: 5-1 with Boardmember DiBella abstaining).

- *6b. **Z07-20 (District 6)** The 3300 block of South Power Road (east side). Located east of Power Road and north of Elliot Road (8.43± ac.). Rezone from R1-43 to M-1 PAD and Site Plan Review. This request will allow for the development of a self-storage facility. Mike McDaniel, owner; Jeff Welker, Welker Development Resources, L.L.C., applicant. *(Held two neighborhood meetings, notified property owners, registered neighborhoods and homeowners associations.)*

P&Z Recommendation: Approval with Conditions. (Vote: 5-1 with Boardmember Finter nay).

- *6c. **Z07-21 (District 6)** 457 South Higley Road. Located south of Broadway Road and north of Southern Avenue (2.57 ac.). Rezone from C-2 PAD to C-2 and Site Plan Modification.

This request will allow for the development of a medical office complex. Michael Hamberlin, owner; Lesley L. Partch applicant. *(Notified property owners, registered neighborhoods, homeowners associations and the Mesa Public School District.)*

P&Z Recommendation: Approval with Conditions. (Vote: 6-0).

- *6d. **Z07-22 (District 6)** The 10400 block to 10700 block of East Southern Avenue (south to the freeway). Located at the southwest corner of Southern Avenue and Signal Butte Road (110± acres). Rezone from R1-43 DMP (conceptual O-S, C-2, and M-1) to R-4, C-2 PAD and C-2 PAD BIZ and Site Plan Review. This request will allow the development of a regional commercial shopping center with associated residential, office, and hotel uses. Erin Nellis; Signal Butte 114, LLC by DeBartelo Development, owner; Paul Gilbert, Beus Gilbert, applicant. *(Held two neighborhood meetings, notified property owners, and registered neighborhoods.)*

P&Z Recommendation: Approval with Conditions. (Vote: 6-0).

- *6e. **Z07-23 (District 5)** 8000 to 8225 Blocks of East Thomas Road alignment and areas south to East Redberry Road. Located west of Hawes Road and south of Thomas Road (39± acres). Rezone from Maricopa County R1-35 to City of Mesa R1-35. For the establishment of City of Mesa zoning on recently annexed property. Frank/Sheri Allen, Jerry/Mary Barron, Deland Bentz, Joseph/Dorothy Coia, Desert Castle Inc, Dennis/Heather Duncan, G Brent Stolworthy LLC, Austin/Lynn Goodale, Jacob/Rebecca Hansen, Eunice Holaren, Michelle Holaren, James/Janae Jarnagin, JP Custom Home, Earl/Nancy Labovitz, Jason/Kaya Laos, Lawlor Construction, Timothy/Carmen Murphy, Nichole Shaffer, Schell Alla Tr, Southwest Commercial Real Estate, Ronald/Joni Trout, Calvin/Marilyn Uhl, City of Mesa, owners; City of Mesa, applicant. **(Related to 8a)**

P&Z Recommendation: Approval with Conditions. (Vote: 6-0).

- *6f. **Z07-25 (District 5)** 2725, 2701 and 2661 North Ogden Road. Located south of McDowell Road and east of Greenfield Road (1.26± acres). Site Plan Review. This request will allow for the development of three office warehouse buildings. Charles Klees, Jr., owner, Michael P. Monroe, applicant. *(Held one-neighborhood meeting and notified property owners.)*

P&Z Recommendation: Approval with Conditions. (Vote: 6-0).

- *6g. Amending Section 1-21-1 of the Mesa City Code entitled City Purchase of Tangible Personal Property to allow the Utilities Department to enter into a Base Contract for Sale and Purchase of Natural Gas and related Transaction Confirmation for supplies of natural gas.

7. Take action on the following resolutions:

- 7a. Approving and authorizing the City Manager to proceed with an application to the Department of Housing and Urban Development (HUD) for FY 2007-2008 funding for nonprofit organization projects through the Community Development Block Grant (CDBG) Program – Resolution No. 8937.

It was moved by Vice Mayor Walters, seconded by Councilmember Whalen, that Resolution No. 8937 be adopted.

Councilmember Rawles stated the opinion that the grant applications addressed in agenda items 7a, b, c, d and e represent a redistribution of wealth by the Federal government and therefore he would vote in opposition to these applications.

Mayor Hawker called for the vote.

Upon tabulation of votes, it showed:

AYES – Hawker-Griswold-Jones-Somers-Walters-Whalen
NAYS – Rawles

Mayor Hawker declared the motion carried by a majority vote and Resolution No. 8937 adopted.

7b. Approving and authorizing the City Manager to proceed with an application to the Department of Housing and Urban Development (HUD) for FY 2007-2008 funding for City department projects through the Community Development Block Grant (CDBG) Program – Resolution No. 8938.

It was moved by Vice Mayor Walters, seconded by Councilmember Jones, that Resolution No. 8938 be adopted.

Upon tabulation of votes, it showed:

AYES – Hawker-Griswold-Jones-Somers-Walters-Whalen
NAYS – Rawles

Mayor Hawker declared the motion carried by a majority vote and Resolution No. 8938 adopted.

7c. Approving and authorizing the City Manager to proceed with an application to the Department of Housing and Urban Development (HUD) through the Maricopa HOME Consortium for FY 2007-2008 funding for nonprofit organization projects through the HOME Investment Partnerships (HOME) Program – Resolution No. 8939.

It was moved by Councilmember Griswold, seconded by Councilmember Somers, that Resolution No. 8939 be adopted.

Upon tabulation of votes, it showed:

AYES – Hawker-Griswold-Jones-Somers-Walters-Whalen
NAYS – Rawles

Mayor Hawker declared the motion carried by a majority vote and Resolution No. 8939 adopted.

- 7d. Approving and authorizing the City Manager to proceed with an application to the Department of Housing and Urban Development (HUD) through the Maricopa HOME Consortium for FY 2007-2008 funding for City of Mesa Department projects through the HOME Investment Partnership (HOME) Program – Resolution No. 8940.

It was moved by Councilmember Somers, seconded by Vice Mayor Walters, that Resolution No. 8940 be adopted.

Upon tabulation of votes, it showed:

AYES – Hawker-Griswold-Jones-Somers-Walters-Whalen
NAYS – Rawles

Mayor Hawker declared the motion carried by a majority vote and Resolution No. 8940 adopted.

- 7e. Approving and authorizing the City Manager to proceed with an application to the Department of Housing and Urban Development (HUD) for FY 2007/2008 funding through the Emergency Shelter Grant (ESG) Program – Resolution No. 8941.

Councilmember Whalen declared a potential conflict of interest and said he would refrain from discussion/consideration of this agenda item.

It was moved by Councilmember Griswold, seconded by Vice Mayor Walters, that Resolution No. 8941 be adopted.

Upon tabulation of votes, it showed:

AYES – Hawker-Griswold-Jones-Somers-Walters
NAYS – Rawles
ABSTAIN – Whalen

Mayor Hawker declared the motion carried by a majority of those voting and Resolution No. 8941 adopted.

- *7f. Approving and authorizing the City Manager to execute a Development Agreement for City Share Reimbursement between WL Crismon, LLC, White-Leasure-Rider/Mesa, LLC, and the City of Mesa for the reimbursement of \$112,000.00 for regional street lighting and traffic signal improvements that are being required by Mesa in conjunction with a proposed commercial subdivision known as Crismon Commons East & West, located at 1718 & 1719 South Crismon Road. Mesa's estimated share will be funded from existing Street HURF Bond proceeds – Resolution No. 8934.

- 7g. Approving the Falcon Field Sub-Area Plan, generally located in the north central portion of the City of Mesa. It is identified by its aviation driven focus, historic significance, and close proximity to the Salt River, which represents the City's corporate limits. The Red Mountain freeway passes through the Falcon Field Sub-Area – Resolution No. 8942.

P&Z Recommendation: Approval of the Resolution and Adoption of the Sub Area Plan. (Vote: 7-0).

Mary Baldwin, 6311 East Regina Street, a member of the Falcon Field Sub-Area Plan Committee, requested Council approval of the Plan.

Mayor Hawker stated that the following individuals completed cards in support of the Falcon Field Sub-Area Plan but indicated that they did not wish to address the Council:

Lois C. Yates, 120 North Center Street
Samantha Hertzler, 4610 East Fighter Aces Drive

It was moved by Councilmember Griswold, seconded by Councilmember Somers, that Resolution No. 8942 be adopted.

Councilmember Rawles explained that he would not support the motion for the reason that the Plan represents an attempt by government to regulate and control private property.

Councilmember Griswold advised that the Falcon Field Sub-Area Plan does not change the existing zoning or the rights of property owners. He explained that the Plan is designed to serve as a guide for future developers by providing a broad overview of the types of development that are anticipated during the next twenty years.

Mayor Hawker called for the vote.

Upon tabulation of votes, it showed:

AYES – Hawker-Griswold-Jones-Somers-Walters-Whalen
NAYS – Rawles

Mayor Hawker declared the motion carried by a majority vote and Resolution No. 8942 adopted.

- 7h. Approving and authorizing the City Manager to execute an Intergovernmental Agreement (IGA) between the State of Arizona Department of Transportation (ADOT) and the City of Mesa for the design, construction, operation and maintenance of a Park and Ride facility north of the Superstition Freeway and south of the State's drainage channel, between Superstition Springs Boulevard and Power Road. Mesa's share of the operation and maintenance cost is \$19,775.00 – Resolution No. 8943.

It was moved by Councilmember Somers, seconded by Vice Mayor Walters, that Resolution No. 8943 be adopted.

Upon tabulation of votes, it showed:

AYES – Hawker-Griswold-Jones-Somers-Walters-Whalen
NAYS – Rawles

Mayor Hawker declared the motion carried by a majority vote and Resolution No. 8943 adopted.

- *7i. Approving and authorizing the City Manager to execute an Intergovernmental Agreement (IGA) between the Maricopa County Department of Transportation and the

City of Mesa for the AZTECH Smart Corridor Phase 3 along portions of Power Road (Baseline to University and McDowell to Thomas). This project will involve the design and construction of vehicle detection systems (VDS), closed circuit television (CCTV) systems, dynamic message signs (DMS), and fiber optic communications along four miles of the Smart Corridor in Mesa. The total estimated project cost is \$1,600,000.00. Mesa's share is \$145,000.00 (Quality of Life Funds) – Resolution No. 8935.

- *7j. Approving and authorizing the City Manager to execute an Intergovernmental Agreement (IGA) between the State of Arizona Department of Transportation (ADOT) and the City of Mesa for the landscape maintenance along the Red Mountain Freeway from University Drive to Southern Avenue. The estimated annual operation and maintenance cost is \$21,150.00 – Resolution No. 8936.

8. Discuss, receive public comment, and take action on the ordinances introduced at a prior Council meeting. Any citizen that wants to provide comment should submit a blue card to the Clerk before the item is voted on. If a citizen wants to comment on an item listed with an asterisk (*), a blue card must be given to the Clerk before Council votes on the consent agenda.

- *8a. **A07-02 (District 5)** Annexing land located on Thomas Road west of Hawes Road (39.42 ± ac.). Initiated by Nathan Palmer representing the property owners – Ordinance No. 4680. **(Related to Item 6e)**

- *8b. Amending the City of Mesa Zoning Ordinance, Sections 11-1-6 and 11-13-2 (H) to add requirements for “Corral Fences” – Ordinance No. 4681.

P&Z Recommendation: Approval. (Vote: 7-0).

- *8c. **Z07-19 (District 2)** 3155 East Southern Avenue. Located east of Lindsay Road on the south side of Southern Avenue (1.22± ac.). Site Plan Modification. This request will allow the development of a medical office building. Frank Pettit, LGE Corporation, owner; Steven Nevala, Cawley Architects, applicant – Ordinance No. 4682. *(Notified property owners, registered neighborhoods and homeowners associations.)*

PHO Recommendation: Approval with Conditions.

- 8d. Amending Section 11-19-7 of the Mesa City Code with regard to “Portable Business Identification Signs (aka: A-frame Signs).” **Continued from the March 19, 2007 Council meeting.**

P&Z Recommendation: Approval. (Vote: 4-1 with Boardmember Mizner nay and Boardmembers Adams and Langkilde absent.)

DDC Recommendation: Denial. (Vote: 5-0).

Nate Caine, 1325 West Keats Avenue, addressed the Council in opposition to this agenda item. He stated the opinion that the presence of A-frame signs degrades neighborhoods and creates traffic hazards.

Charlie Deaton, 5304 East Hannibal, speaking in support of the proposal on behalf of the Mesa Chamber of Commerce, stated that the proposed ordinance enables the City to regulate and control A-frame signs.

Councilmember Griswold said that under the present regulations, only downtown merchants, realtors and apartment buildings are able to utilize A-frame signs. He stated that the fees for legal A-frame signs would generate revenues that the City could utilize to monitor and eliminate illegal signs. Councilmember Griswold added that this proposal provides an opportunity for businesses to legally address their signage requirements and that both the Chamber of Commerce and various sign companies have offered to educate and provide assistance to businesses that wish to utilize A-frame signs. He expressed support for the proposal.

Mayor Hawker stated that he would not support the proposal, but he did favor implementing a volunteer program to address illegal signs similar to the existing volunteer program that addresses illegal parking in handicapped spaces. He expressed the opinion that business owners have a responsibility to locate their operations where adequate signage is available.

Vice Mayor Walters advised that she has struggled in her consideration of this item, and she concurred with Mr. Caine's comments regarding the safety issue. She added that although she supports the concept of utilizing the permit revenues to add enforcement staff, she was concerned that the proposed program would not generate sufficient funds to address that effort. Vice Mayor Walters stated the opinion that tenants are requesting the City to address a problem that is the responsibility of the landlord. She expressed support for the Mayor's suggestion regarding a volunteer program to address illegal signs, and she advised that she would not vote in favor of the proposal to permit A-frame signs outside of the downtown area.

In response to a question from Councilmember Somers, Code Compliance Director Ray Villa stated that it was difficult to determine the amount of revenue that would be generated by the proposed program and if the funds would be adequate to fund the sign enforcement activity.

Councilmember Somers suggested that an alternative A-frame regulation could limit the availability of these signs to businesses of less than 10,000 square feet in C-1 and C-2 areas with setbacks of at least 100 feet. He added that the proposal should include a sunset clause.

Mayor Hawker advised that if the Council fails to adopt the current proposal, Councilmember Somers could present his proposal to the Council Committee for consideration.

Councilmember Rawles said that his opposition to the proposal is based on the level of bureaucracy that is included in the Plan, and therefore he would not vote in support of this agenda item.

Councilmember Griswold stated that the proposal, which is based on the existing Town of Gilbert program, includes a sunset clause. He advised that the Town of Gilbert sign enforcement staff and the Gilbert Chamber of Commerce have successfully worked together to educate businesses regarding the utilization of A-frame signs.

It was moved by Councilmember Griswold, seconded by Councilmember Whalen, that Section 11-19-7 of the Mesa City Code be amended with regard to "Portable Business Identification Signs (aka: A-frame Signs)."

Upon tabulation of votes, it showed:

AYES – Griswold-Jones-Whalen
NAYS – Hawker-Rawles-Somers-Walters

Mayor Hawker declared the motion failed for lack of a majority vote.

Vice Mayor Walters explained that Councilmember Somers, as a Councilmember whose vote was in the prevailing majority, could request that the Council reconsider this item.

City Attorney Debbie Spinner clarified that Councilmember Somers could request reconsideration of this issue by a Council Committee or at a Council Study Session. She added that introduction of a new A-frame sign ordinance would be required in order for the Council to consider the issue at a future meeting.

9. Take action on the following subdivision plat:

- *9a. "EL TESORO" (**District 5**) 1350-1450 blocks of North 72nd Street (west side) located north and east of Brown Road and Power Road. 6 R1-35 PAD single residence lots (4.92 ac) Blau Punkt, LLC, Kevin Kells, president, owner.

10. Items from citizens present.

Margaret De Santi, 2600 East Allred Avenue, Captain, U.S. Army Nurse Corps (retired), addressed Councilmember Rawles regarding his protest of the war in Iraq. She expressed the opinion that every U.S. citizen has a duty to stand for the Pledge of Allegiance and that the action taken by Councilmember Rawles violates his oath of office. She requested that Councilmember Rawles be recalled from his position as a Councilmember.

Jerry D. Walker, 113 South Ogden Circle, a U.S. Navy retiree, said that he hoped the Mesa Veterans' Parade Association would be reimbursed for some or all of the funds expended for police services during the 2006 Veterans' Day Parade. He noted that an agreement by the City of Mesa to co-sponsor the Parade would eliminate the requirement for their Association to purchase a four-hour liability insurance policy at a cost of \$1,500. Mr. Walker also stated the opinion that Councilmember Rawles does not have the right to protest a war by refusing to pledge allegiance to the flag.

Frank Alger, 1009 North April Street, stated the opinion that every elected official is obligated to stand for the Pledge of Allegiance and he expressed disappointment that Councilmember Rawles continues this form of protest. He also invited interested parties to attend meetings of the Mesa Veterans' Parade Association on the third Friday of each month. He added that the next meeting is scheduled on April 20th at 1:00 p.m. in Room 170 of the Mesa Municipal Plaza Building.

Councilmember Rawles stated that he had no comments at this time, but that he would address the concerns expressed by these veterans at a future Council meeting.

11. Adjournment.

Without objection, the Regular Council Meeting adjourned at 6:33 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 2nd day of April 2007. I further certify that the meeting was duly called and held and that a quorum was present.

BARBARA JONES, CITY CLERK

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