

COUNCIL MINUTES

February 2, 1998

The City Council of the City of Mesa met in a Regular Council Meeting in the Conference Theatre of the Centennial Conference Center, 201 North Center Street, on February 2, 1998 at 5:45 p.m.

COUNCIL PRESENT

Mayor Wayne Brown
Pat Gilbert
John Giles
Dennis Kavanaugh
Joan Payne
Wayne Pomeroy
Claudia Walters

COUNCIL ABSENT

None

POLICE OFFICER
PRESENT

Lyle Burton

OFFICERS PRESENT

C.K. Luster
Neal Beets
Barbara Jones

The Invocation was given by Pastor Dale Olson, Bethlehem Lutheran Church.

The Pledge of Allegiance was led by Jenaye Collins, Falcon Hill Brownie Troop 2004.

1. Approval of minutes of previous meetings as written.

It was moved by Councilmember Giles, seconded by Councilmember Pomeroy, that the minutes of January 5, 8, 9, 16, and 20, 1998 be approved.

Carried unanimously.

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 Walters, seconded by Vice Mayor Gilbert, that the consent agenda items be approved.

Carried unanimously.

3. Consider the following liquor license applications.

*a. ROBERT H. TURNBALL, 1ST VICE PRESIDENT

Special Event License application of Robert H. Turnball, 1st Vice President, for Mobile Noble Shrine Club, a one-day fraternal event to be held Wednesday, March 4, 1998, from 11:00 a.m. to 4:00 p.m., at 4900 E. McKellips Road, Falcon Field Park.

*b. THOMAS F. DIETERLE, AGENT

Person and Location transfer Liquor Store License for Osco Drug Store #2280, Southwest Corner Val Vista and Southern Avenue. This transfer is from Paul D. Minger, Agent, Walgreen Arizona Drug Co. to Thomas F. Dieterle, Agent, Osco Drug of Texas, Inc.

*c. JUSTIN M. HATHAWAY, AGENT

New Restaurant License for Bennigan's, 1216 W. Southern Avenue. The license previously held at this location by Daniel Parker, Agent, Steak & Ale of Arizona, Inc., will revert back to the State.

*d. GEORGE S. VUDRAG, AGENT

New Restaurant License for Score's Sports Bar & Grill, 1159 E. Main Street. This is an existing business, no previous liquor licenses at this location.

4. Consider the following contracts.

*a. 3,500 blue recycling and 2,000 black refuse containers as requested by the Solid Waste & Facilities Division.

The Purchasing Division recommends authorizing an additional purchase option from RFB #96073 with the low bid meeting specification by Rehrig Pacific Company at \$217,745.00 plus 5% use tax of \$10,887.25 for a total of \$228,632.25.

*b. Annual supply contract for fertilizers used at the Cemetery, Golf Courses and City Parks.

The Purchasing Division recommends accepting the overall low bid meeting specification by Garden West Distributors at \$109,658.40 plus 6.80% sales tax of \$7,456.77 for a total of \$117,115.17 based on estimated requirements.

*c. Desert Wells No. 14 Steel Water Tank Removal.

This project involves the demolition and removal of a steel water tank on the site of Desert Wells No. 14 well site located at 7144 South Meridian.

Recommend award to low bidder, Spray Systems Environmental, I the amount of \$24,976.00.

*d. University Drive Bus Bays.

This project involves constructing three (3) bus pull-outs and shade structures on University Drive, just east of Gilbert Road, as well as east and west of Country Club Drive.

Recommend award to low bidder, Wellington West, Inc., in the amount of \$190,597.50.

- *e. Dobson Ranch Golf Course Fence Replacement, Phase 5.

This project consists of removing the existing fence and installing a new fence along a portion of Dobson Ranch Golf Course.

Recommend award to low bidder, Jilco Contracting, Inc./AF Contracting Services, Inc., A Joint Venture, in the amount of \$108,755.00.

- *f. Mesa Police Department Impound Lot Improvements.

This project involves construction of an expanded police impound lot at North Center Street.

Recommend award to low bidder, Nickle Contracting, L.L.C., in the amount of \$116,350.80.

5. Reintroduction of the following cases tabled at the November 17, 1997, City Council meeting and setting February 17, 1998, as the date of public hearing on these ordinances.

- *a. **Z97-75** The northeast corner of Southern Avenue and Signal Butte Road. Rezone from R1-9 to R1-6-PAD and C-2 (60± acres). This case involves development of a single residence subdivision and a future retail parcel.
- *b. **Z97-77** South and east of the southeast corner of Hawes Road and Guadalupe Road. Rezone from R1-43 to R1-6-PAD (95± acres). This case involves development of a single residence subdivision.
- *c. **Z97-89** The 9800 and 9900 blocks of East Southern Avenue (north side). Rezone from R1-43 to R1-6-PAD (25± acres). This case involves the development of a 166 lot subdivision.
- *d. **Z97-90** The 6600 block of East McDowell Road (south side). Rezone from R-3-PAD to R-2-PAD (9.26 acres). This case involves the development of a 72 lot subdivision.

6. Introduction of the following ordinances and setting February 17, 1998 as the date for the 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. **Z97-97** The 1500 block of South Alma School Road (east side). Site Plan Review (1± acre). This case involves the development of an athletic shoe store.

- *b. **Z98-4** The 4100 and 4200 blocks of East Broadway (north side). Rezone from AG to R1-6-PAD (35± acres). This case involves the development of retirement townhomes.
- *c. **Z98-5** The northwest corner of Brown Road and Recker Road. Site Plan Modification (10± acres). This case involves development of a retail project.
- *d. **Z98-6** The southwest corner of Brown Road and Greenfield Road. Rezone from R1-15 to R1-15-PAD (17± acres). This case involves development of a residential subdivision with a gated entrance and private streets.
- *e. Deleted.
- *f. Deleted.
- *g. Amending certain sections of the Uniform Building Code, 1994 Edition; amending Section 4-1-1 of the Mesa City Code relating to public restrooms in food service businesses; and providing for penalties.

7. Consider the following items concerning Jefferson Gymnasium:

- a. Resolution authorizing the City Manager to execute an Intergovernmental Agreement with the Mesa Public Schools to construct and operate the Jefferson Gymnasium and Recreation Center, subject to approval by the Mesa School Board - Resolution No. 7149.

Mayor Brown advised that this cooperative venture between Mesa Public Schools and the City of Mesa, to construct and operate the Jefferson Gymnasium and Recreation Center, will benefit City youths. Mayor Brown noted that the total cost of the project is estimated at \$1,400,000, of which the City will contribute \$800,000 of Community Development Block Grant (CDBG) funds and the remaining \$600,000 will be funded by the Mesa Public Schools.

Bill Brando, 61 South Macdonald, informed the Council that in June 1995, a School District Special Election was held which resulted in the distribution of an additional \$182 million funding. Mr. Brando commented that he is not opposed to education but is opposed to the utilization of tax dollars for the construction and maintenance of the proposed gymnasium particularly in view of the fact that the School District was awarded significant additional funding two years ago.

Luule Brandofino, 61 South Macdonald, spoke in opposition to the construction of the proposed gymnasium and stated the opinion that tax dollars should not be spent on entertainment projects.

Mayor Brown thanked the speakers for their input and reiterated that CDBG funds will be used to fund the City's share of costs for the joint project. Mayor Brown stressed the importance of ensuring the availability of athletic facilities for the City's youth.

It was moved by Councilmember Walters, seconded by Councilmember Pomeroy, that Resolution No. 7149 be adopted.

Councilmember Walters stated the opinion that joint-use facilities, such as the proposed gymnasium, constitute a positive and rewarding use of funds. Councilmember Walters added that a definite need exists in the Jefferson School district for a facility such as the proposed gymnasium.

Carried unanimously.

- *b. Award of bid for the construction of Jefferson Gymnasium and Recreation Center.

This project involves the construction of a gymnasium and recreation center at Jefferson Elementary School, 120 South Jefferson Avenue.

Recommend award to low bidder, Sun Eagle Corporation, in the amount of \$1,435,500.00.

8. Consider the following resolutions:

- *a. Recommending that the Williams Gateway Airport Authority establish an Airport Influence Area around Williams Gateway Airport - Resolution No. 7144.
- b. Authorizing the City Manager to execute an Intergovernmental Agreement with the Cities of Scottsdale and Tempe which will allow each of the other jurisdictions to reimburse a portion of the funds expended by the City of Mesa to acquire an East Valley Homeless Shelter - Resolution No. 7150.

Mr. Scott Rhodes, Chairman of the Board of the Mesa Community Action Network (CAN) spoke in support of the proposed Intergovernmental Agreement and stated that this proposal represents the final step towards completing and opening the East Valley Transitional Training and Living Center. Mr. Rhodes noted that the Center will be the first permanent homeless shelter in the East Valley and spoke in strong support for this cooperative effort. Mr. Rhodes expressed appreciation to the Council and staff for their continuing efforts and support.

It was moved by Vice Mayor Gilbert, seconded by Councilmember Kavanaugh, that Resolution No. 7150 be adopted.

Upon tabulation of votes, it showed:

AYES - Brown-Gilbert-Giles-Kavanaugh-Pomeroy-Walters
NAYS - Payne

Mayor Brown declared to the motion carried by majority vote and Resolution No. 7150 adopted.

- *c. Authorizing the City Manager to execute an agreement between the Maricopa County Department of Transportation and the City of Mesa for street improvements to Guadalupe Road from Hawes Road to Meridian Road - Resolution No. 7145.
- *d. Extinguishing an easement for a temporary turnaround easement and assignment, located north of Baseline Road on 96th Street - Resolution No. 7146.

Easement is no longer needed.

- *e. Approving and authorizing the City Manager to execute an Intergovernmental Agreement between the State of Arizona, by and through its Park Board, and the City of Mesa, relating to a historic preservation project - Resolution No. 7147.

9. Consider the following ordinances:

- *a. Amending Title 4, Chapter 1, Section 2 of the Mesa City Code relating to fireplace restrictions - Ordinance No. 3434.
- *b. Deleted.

10. Consider the following items as recommended by the Utility Committee:

- *a. The City Manager be authorized to execute an Aggregated Resource Management agreement with Western Area Power Administration.
- *b. A resolution authorizing the City Manager to execute an amendment to the Sub-Regional Operating Group (SROG) agreement which would provide additional capacity at the 91st Avenue Wastewater Treatment Plant - Resolution No. 7148.
- *c. Approving the staff recommended method for treatment and handling of residuals at the Northwest Water Reclamation Plant.
- d. Authorizing the City Manager to enter into an Intergovernmental Agreement with the Salt River Pima-Maricopa Indian Community, on behalf of the City of Mesa, for wastewater treatment and groundwater recharge facilities.

Assistant Utility Manager Bill Haney highlighted a brief presentation on the proposed facilities. Mr. Haney provided background information relative to this issue and commented on anticipated benefits which will be received by both the City of Mesa and the Salt River Pima-Maricopa Indian Community as a result of the proposed wastewater treatment and groundwater recharge facilities.

Mr. Haney reported that in accordance with the proposal, the City of Mesa would construct a lift station for the Indian Community on the north side of the river and west of the 101 loop that would discharge into a plant where the effluent would be treated. Mr. Haney added that the effluent would then be piped back across the river. Mr. Haney referred to a computerized enhancement of ponds and trails and discussed the potential that exists for the City to develop an extension of the Rio Salado project in the future.

Mayor Brown commended staff on their efforts relative to the development of this proposal.

It was moved by Councilmember Kavanaugh, seconded by Vice Mayor Gilbert, that the recommendation of staff be approved.

Carried unanimously.

10.1. Consider the following items as recommended by the Police Committee:

- *a. Approving the staff recommendation that acquisition of a modular live fire tactical house be approved.
- *b. Approving the staff recommendation that a proposal from KPMG Peat Marwick to conduct a management review of the Police Department be approved.

11. Consider the following subdivision plats:

- *a. "Santa Rita Ranch Unit 1" - The 2800 and 2900 blocks of S. Crismon Road (east side) 124 R1-6-PAD-DMP single residence lots (30.81 ac.) Shea Homes Limited Partnership, developer; Wood/Patel & Associates, engineer.
- *b. "Santa Rita Ranch Unit 2" - The 2800 and 2900 blocks of S. Santa Rita (west side) 158 R1-6-DMP single residence lots (45.04 ac.) Shea Homes Limited Partnership, developer; Wood/Patel & Associates, engineer.
- *c. "Santa Rita Ranch Unit 4" - The 3000 and 3100 blocks of S. Santa Rita (west side) 100 R1-7-DMP single residence lots (33.25 ac.) Shea Homes Limited Partnership, developer; Wood/Patel & Associates, engineer.
- *d. "Mesquite Canyon I" - The 9200 through 9500 blocks of E. Guadalupe Road (south side) 300 R1-6-PAD-DMP & 160 R1-6-DMP single residence lots, 1 C-2-DMP commercial tract and 1 R-4-DMP multi-family tract (126.57 ac.) CHI Construction Company, developer; Coe & Van Loo Consultants, Inc., engineer.

12. Adjournment.

Without objection, the Regular Council Meeting adjourned at 6:42 p.m.

WAYNE BROWN, 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 February 1998. I further certify that the meeting was duly called and held and that a quorum was present.

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Dated this _____ day of _____ 1998

BARBARA JONES, CITY CLERK