

COUNCIL MINUTES

September 25, 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 25, 2000, at 5:48 p.m.

COUNCIL PRESENT

Mayor Keno Hawker
Jim Davidson
Bill Jaffa
Dennis Kavanaugh
Pat Pomeroy
Claudia Walters
Mike Whalen*

COUNCIL ABSENT

None

OFFICERS PRESENT

Mike Hutchinson
Neal Beets
Barbara Jones

* Councilmember Whalen participated in the entire meeting through the use of teleconferencing equipment.

Invocation by Reverend David L. Earlewine, Good Shepherd Wesleyan Church.

Pledge of Allegiance was led by Brad Morgan, Troop #513.

1. Approval of minutes of previous meetings as written.

It was moved by Vice Mayor Davidson, seconded by Councilmember Kavanaugh, that the minutes of the August 1 and September 1, 7, 9, 11 and 21, 2000 meetings 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 Vice Mayor Davidson, seconded by Councilmember Kavanaugh that the consent agenda items be approved.

Carried unanimously.

3. Consider the following liquor license applications.

*a. NANCY JANE BEECHLER, PRESIDENT

Special Event License application of Nancy Jane Beechler, President, Assistance League of East Valley, a one-day charitable event to be held Saturday, November 4, 2000 from 5:30 p.m. to 10:00 p.m., at 4636 Fighter Aces Drive, Champlin Fighter Aircraft Museum.

*b. MIKE ANCHIE, PRESIDENT

Special Event License application of Mike Anchie, President, Mesa Jaycees, a one-day civic event to be held Monday, November 6, 2000 from 5:00 p.m. to 1:00 a.m., at 640 N. Center Street, Mesa Jaycees.

*c. ALBERT ISSAC KHAMIS, INDIVIDUAL

New Beer and Wine Store License for One Stop Food Mart & Deli, 1620 W. University Drive. The Beer and Wine Store License previously held at this location by Shahida Khan, Agent, One Stop Convenience, will revert back to the State.

*d. MATTHEW UNSUNG CHIN, AGENT

New Restaurant License or Ah-So Japanese Restaurant, 1919 S. Gilbert Road, Suite E101. This is an existing business. The Restaurant License previously held at this location by John K. Pak, Individual, Ah-So Japanese Restaurant will revert back to the State.

*e. MICHAEL A. LOPERCIO, AGENT

New Restaurant License or Rigatony's, 223 E. Brown Road. The existing bank building is being remodeled, no previous liquor licenses at this location.

4. Consider the following contracts:

*a. Thirty-two portable ballistic shields as requested by the Police Department.

The Purchasing Division recommends accepting the low bid by Botach Tactical at \$37,800.00 including applicable use tax.

*b. One new copier for the Parks, Recreation & Cultural Division.

The Purchasing Division recommends authorizing purchase from State of Arizona contract with Advanced Imaging System at \$13,864.27 including applicable sales tax.

*c. Two replacement utility vehicles to be used to transport staff at ballfields as requested by the Parks, Recreation & Cultural Division.

The Purchasing Division recommends exercising an additional purchase option from RFB #1999041 with the original low bid by Simpson Norton Corp. for a total of \$25,201.80 including applicable sales tax.

*d. Deleted.

*e. Command AntiVirus Software Enterprise License as requested by Information Services.

The Purchasing Division recommends authorizing purchase from Command Software Systems for an Enterprise License for a total of \$25,200.00, including applicable use tax.

*f. Two-year agreement for Legal Process Services related to the Photo Safety Enforcement Program.

The Purchasing Division endorses the evaluation team's recommendation for a joint award. AAA Process Services and the Arizona Attorney's Office are recommended for the primary contract at a cost of \$18 per summons, and E-Z Messenger Service is recommended as the reserve provider, at a cost of \$22.50 per summons. These costs will be paid by photo safety citation recipients. It is also recommended that service of process begin with citations issued on or after August 15, 2000.

*g. Work stations for Building Inspections staff located at the East Mesa Service Center.

The Purchasing Division recommends authorizing purchase from State of Arizona contract with Goodman's Inc. at \$11,671.24 including materials, design services, delivery, installation and applicable sales tax.

*h. One replacement equipment trailer to be used to haul backhoes and other heavy equipment, as requested by the Parks, Recreation and Cultural Division.

The Purchasing Division recommends exercising an additional purchase option from previous RFB #2000108 by the low bidder, Fleming Trailer, Inc. at \$11,588.50 including applicable sales tax.

i. Red Mountain Park Improvements, Phase 4. City of Mesa Project 99-16.

Phase 4 of construction would construct three new baseball fields, a restroom/concession building and a parking area at Red Mountain District Park.

Recommend award to low bidder, Chaparral Construction, Inc., in the amount of \$2,655,949.61.

Mayor Hawker declared a potential conflict of interest and refrained from discussion/participation in this agenda item.

Mayor Hawker yielded the gavel to Vice Mayor Davidson for action on this agenda item.

Parks & Recreation Director, Joe Holmwood, presented a brief overview of the improvements planned for Phase 4 construction at Red Mountain District Park for the benefit of the audience. Mr. Holmwood stated that construction is scheduled to begin in November 2000 and will last 180 days.

Councilmember Pomeroy noted that the ballfields are being funded by monies approved by the voters in 1998 as part of the Quality of Life Sales Tax.

Councilmember Kavanaugh pointed out that the City has a variety of ballfields/athletic field improvements that will be accomplished during the current and upcoming fiscal years and requested that Mr. Holmwood comment on the projects and funding.

Mr. Holmwood stated that during Fiscal Year 2000-2001, the City intends to complete approximately nine different projects that are to be funded by revenues generated as a result of the Quality of Life Sales Tax, previously approved bond issues, or impact fees. Mr. Holmwood advised that Countryside Park will develop two additional sixty foot baseball fields and added that construction has already begun at the Greenfield Youth Sports Complex, where four additional sixty foot baseball fields and four soccer fields will be constructed. Mr. Holmwood added that two additional lighted softball courts will be constructed at Highland Junior High and explained that the schools develop the courts and the City provides the lighting for nighttime use. Mr. Holmwood informed the audience that staff is also involved in the relocation of lights at Redbird Elementary School and said that later on this year, the City will develop four additional softball fields at Skyline Park in East Mesa. Mr. Holmwood also commented on the fact that the City is lighting the Stapley and Taylor Junior High fields to allow nighttime activities to occur. Mr. Holmwood stressed that a tremendous need exists for these types of projects throughout the City of Mesa.

Councilmember Jaffa noted that a lack of parks and sports fields exists in Southeast Mesa and stressed the importance of studying this issue in an effort to determine methods of financing parks and amenities for that area. Councilmember Jaffa also commented on Red Mountain District Park and encouraged the citizens of Mesa to utilize this tremendous facility.

Councilmember Walters stated the opinion that the results of the recent bond election indicate that the City did not do as good a job as it should have in educating the citizens on how the City is honoring the commitment it made to them when they approved the Quality of Life Sales Tax. Councilmember Walters said that some citizens, believing that the City was not honoring the previous commitment, were hesitant to approve future parks bonds. Councilmember Walters emphasized that the City is honoring its commitment and doing everything that it said it would do but explained that the tax is being collected over a period of time and therefore the projects are also being built over a period of time. Councilmember Walters commented on the fact that the proposed acquisition of a huge parcel of land owned by the State, which the City wanted to preserve and develop as a park, was not approved by the voters. Councilmember Walters encouraged staff to pursue this issue with the State in an effort to convince them to develop that property as a State park.

Mr. Holmwood expressed the opinion that the State would not have the resources/ability to acquire, maintain and manage such a facility, but said that staff will pursue the recommendation and provide their findings to the Council.

It was moved by Councilmember Pomeroy, seconded by Councilmember Jaffa, that the recommendations of staff be approved.

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

With action on this agenda item being completed, Vice Mayor Davidson yielded the gavel to Mayor Hawker.

*j. South Center Complex, ACM Removal. City of Mesa Project 00-51.2.

The City has completed remodels of several buildings on the South Center Street Complex and has begun moving in City employees. This project will continue the work on the campus by removing asbestos containing the material (ACM) from four of the existing buildings.

Recommend award to low bidder, Complete Decon, Inc., in the amount of \$11,500.00.

- *k. Bus Stop Improvements, Phase 1 - 2000. City of Mesa Project 00-25.

This project will install bus shelters at 15 locations throughout the city as shown on the attached exhibit A.

Recommend award to low bidder, J.A.C., Inc., in the amount of \$313,000.00.

- l. Gilbert Road and University Drive Bridge Widening over the Consolidated Canal. City of Mesa Project No. 99-51.1.

This project involves the widening of the Gilbert Road and University Drive intersection and tying to the previous construction from south of Southern Avenue to north of Main Street.

Recommend award to low bidder, Archon, Inc., in the amount of \$875,824.00.

Mayor Hawker declared a potential conflict of interest and refrained from discussion/participation in this agenda item.

Mayor Hawker yielded the gavel to Vice Mayor Davidson for action on this agenda item.

It was moved by Councilmember Kavanaugh, seconded by Councilmember Walters, that the recommendations of staff be approved.

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

With action on this agenda item being completed, Vice Mayor Davidson yielded the gavel to Mayor Hawker.

5. Consider the following resolutions:

- *a. Authorizing the City Manager to execute an Intergovernmental Agreement between the State of Arizona Department of Transportation and the City of Mesa for the construction of a Multi-Use path along the Consolidated Canal from Horne to 8th Street – Resolution No. 7566.
- *b. Authorizing the City Manager to execute an Intergovernmental Agreement between the State of Arizona through the Department of Economic Security and the City of Mesa for an award of State and Federal social service funds – Resolution No. 7567.

These funds support a portion of the operating costs for Mesa Community Action Network (Mesa CAN), utility, rent, and emergency assistance payments to households in need, and the East Valley Training and Transitional Living Center (EVTTLIC).

- *c. Canvassing, declaring, and adopting the results of the Special Bond Election consolidated with the Statewide Primary Election held on September 12, 2000 - Resolution No. 7568.
- *d. Authorizing the use of Eminent Domain to acquire properties necessary to construct the Gilbert Road Improvement Project – Resolution No. 7570.

The use of Eminent Domain is necessary to meet the construction schedule.

Vice Mayor Davidson declared a potential conflict of interest and refrained from discussion/participation in this agenda item.

Suzanne Delp addressed the Council relative to this agenda item and said that she was advised by City staff two years ago that her property was not included in the City's five-year capital improvement plan. Ms. Delp said that it is now her understanding that the City, by use of eminent domain proceedings, is going to take a portion of her property. Ms. Delp stated that she lives on the east side of Gilbert Road between 8th and Enrose. Ms. Delp questioned whether her property will be involved in the widening.

Public Works Manager Jack Friedline stated the opinion that Ms. Delp's property is not part of this agenda item and her property will not be affected by this proposal. Mr. Friedline said that Mrs. Delp's property is located north of Gilbert Road and that area is slated for work in 2003 and 2004. Mr. Friedline indicated his intention to meet with Ms. Delp and address her questions and concerns.

It was moved by Councilmember Kavanaugh, seconded by Councilmember Pomeroy, that the recommendation of staff be approved and that Resolution No. 7570 be adopted.

Mayor Hawker declared the motion carried unanimously by those voting and Resolution No. 7570 adopted.

- *e. Authorizing the use of Eminent Domain to acquire properties necessary to construct bus pullouts and shelters at various locations – Resolution No. 7569.

The use of Eminent Domain is necessary to set a construction schedule.

- f. Authorizing the sale of City property to Salt River Project at Queen Creek and Recker Road – Resolution No. 7571.

SRP intends to build an electric substation at this site.

Vice Mayor Davidson declared a potential conflict of interest and refrained from discussion/participation in this agenda item.

It was moved by Councilmember Kavanaugh, seconded by Councilmember Walters, that the recommendation of staff be approved and that Resolution No. 7571 be adopted.

Mayor Hawker declared the motion carried unanimously by those voting and Resolution No. 7571 adopted.

6. Consider the following ordinance:

- *a. Pertaining to Title 8, Health, Sanitation and Environment; amending Chapter 3 regarding solid waste; and providing penalties for the violation thereof – Ordinance No. 3813.

*7. Consider the purchase of property for Police Department Support Services.

8. Consider the following subdivision plats:

- *a. "THE ROCK AT RED MOUNTAIN (PARCEL 15)" The 6500 block of East Redmont Drive north side) 22 R-2 PAD townhouse lots (2.66 ac.) Westerra Red Mountain, L.L.C., developer; Palatine Engineering Consultants, engineer.

9. Items from citizens present.

Mayor Hawker advised that there were no items from citizens present.

10. Adjournment.

It was moved by Councilmember Pomeroy, seconded by Councilmember Kavanaugh, that the Regular Council Meeting adjourn at 6:21 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 25th 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

lgc