

COUNCIL MINUTES

September 22, 1998

The City Council of the City of Mesa met in a Study Session in the lower level meeting room of the Council Chambers, 57 East 1st Street, on September 22, 1998 at 4:52 p.m.

COUNCIL PRESENT

Mayor Brown
Jim Davidson
John Giles
Keno Hawker
Bill Jaffa
Dennis Kavanaugh

COUNCIL ABSENT

Pat Pomeroy

STAFF PRESENT

C.K. Luster
Vince Anderson
Pauline Backer
Wayne Balmer
Neal Beets
Denise Bleyle
Mike Brennan
Mark Coon
Linda Crocker
Luigi Digirolamo
John Geier
Carl Geis
Geri Gerber
Joe Holmwood
Mike Hutchinson
Barbara Jones
Harry Kent
Ron Krosting
Dorinda Larsen
Larry Lines
Greg Marek
Jeff Martin
Frank Mizner
Keith Nath
Ellen Pence
Bryan Raines
Andrea Rasizer

STAFF PRESENT (CONT.)

Becky Richardson
Regan Robbins
Jenny Sheppard
Dave Spaur
Jan Strauss
Ursula Strephans
Paul Wilson
Jim Wright
Others

OTHERS PRESENT

Doug Bennett
Bill Brando
Luule Brandofino
Charlie Deaton
Barry Kirschner
Tom Verploegen
Others

Mayor Brown excused Councilmember Pomeroy from the meeting.

1. Review items on the agenda for the September 22, 1998 Regular Council Meeting.

All of the items on the agenda were reviewed by Council and staff with no formal action taken. There was specific discussion relative to the following agenda items:

3. Consider the following liquor license applications:

*e. JANE E. GRIFFIN, INDIVIDUAL

New Beer and Wine Store License for 7-Eleven 26681B, 5957 East McDowell Road.

Vice Mayor Giles advised that a citizen has expressed traffic safety-related concerns regarding the fact that liquor will be sold at this establishment which is located on the way to and from the Salt River Recreation area. Vice Mayor Giles requested that this item be pulled off consent to allow discussion to occur.

6. Consider the following resolutions:

*c. Approving and authorizing the City Manager to execute an agreement between the Regional Public Transit Authority and the City of Mesa.

Councilmember Hawker requested that this item be removed from the Consent Agenda.

*6.2. Consider approving the design features of the former Bank One building and related garage.

Redevelopment Director Greg Marek provided the Council with a brief overview of the design features and stated that the proposal was presented to the members of the Downtown Development Committee who unanimously recommended approval of the proposal.

Discussion ensued relative to building materials, the fact that an original historic clock will be a feature of the design element, access to businesses and landscaping proposals. Mr. Marek urged the Council to approve the proposal.

In response to a question from Mayor Brown, Mr. Barry Kirschner, representing the Voit Companies, indicated his intention to meet with Mrs. Milano, a business owner in the area, to address her concerns.

*6.3. Consider the following recommendation from the Fire Committee:

- a. Recommend staff be directed to proceed with contract negotiations regarding a possible extension of the current contract with Southwest Ambulance/Rural Metro for ambulance transportation services.

Councilmember Hawker commented that the recommendation from the Fire Committee was a split vote and said that he was the sole nay vote. Councilmember Hawker requested that this item be removed from the Consent Agenda.

2. Discuss and consider procedures for evaluating and possible continuation of the Town Center Improvement District (SID 228).

City Attorney Neal Beets provided the Council with a brief overview of issues associated with the possible continuation of Special Improvement District (SID) 228. Mr. Beets advised that a resolution will be on the agenda of the November 2, 1998 Regular Council Meeting relative to holding a public hearing on December 7, 1998 to consider the continuation of SID 228. Mr. Beets noted that every five years the Council considers whether or not to continue the District. Mr. Beets reported that staff will forward notices to all owners of property in the affected area advising them of the date of the public hearing and advising them of the fact that they may protest the continuation of the SID 228. Mr. Beets stated that the protest statement will be on the reverse side of the notice and added that in accordance with State law, the statement must be notarized.

Mr. Beets informed the Council that a conflict of interest issue has arisen regarding this issue and reported that 4 Councilmembers own property in the Town Center area and therefore will be required to declare conflicts of interest. Mr. Beets noted that four votes are necessary to approve and/or deny the continuation of SID 228. Mr. Beets advised that a provision in State law addresses this type of dilemma and allows the members of the Council to declare their potential conflicts of interest and then, in order to achieve a legal vote, the Councilmembers may participate in the discussion and vote on this matter.

In response to a question from Councilmember Hawker, Mr. Beets expressed the opinion that insufficient time exists in which to revise the method of voting on this issue. Mr. Beets added that the Council may consider implementing procedural changes in the future.

Discussion ensued relative to the possibility of requiring property owners to respond with notarized statements indicating either 'aye' or 'nay' votes, issues that will have to be addressed should the Council support changing the voting procedures in the future, and the fact that should the District be discontinued, the Council will have to decide who will provide/fund the services currently provided by the Mesa Town Center Corporation.

Mayor Brown requested that staff pursue this matter and identify potential impacts the possible discontinuation of SID would have on the Town Center area.

3. Discuss and consider proceeding with a study of possible management options for the Arts and Entertainment Center.

Assistant City Manager Mike Hutchinson discussed staff's recommendation that a consultant be hired to analyze and provide possible management options for the Arts and Entertainment Center. Mr. Hutchinson commented on the extensive scope of the project and stated the opinion that the study would assist staff and the Council in rendering decisions on the future operation of the Center. Mr. Hutchinson added that if staff's request is approved by the Council, a Request for Proposals (RFP) will be mailed out this week and following the receipt and evaluation of bidders, staff will present their recommendations to the Council.

Councilmember Kavanaugh concurred with staff's recommendation and stated that this course of action is appropriate and will benefit the City of Mesa.

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

Councilmember Davidson recommended that the consultant also review arts and cultural facilities within the City structure.

Mayor Brown declared the motion carried unanimously by those present.

4. Acknowledge receipt of minutes of various boards and committees.

- a. Council District Commission meeting held August 25.
- b. Traffic Safety Committee meeting held September 15.

It was moved by Vice Mayor Giles, seconded by Councilmember Kavanaugh, that receipt of the above listed minutes be acknowledged.

Mayor Brown declared the motion carried unanimously by those present.

5. Hear reports on meetings and/or conferences attended.

Mayor Brown advised that there were no reports on meetings and/or conferences attended.

6. Scheduling of meetings and general information.

City Manager Charles Luster advised that the meeting schedule is as follows:

Thursday, October 1, 1998, 7:30 a.m. – Council Study/Policy Session

Monday, October 5, 1998, 5:45 p.m. – Regular Council Meeting

Vice Mayor Giles discussed an upcoming meeting that he and Councilmember Davidson have requested with the Arizona Department of Transportation (ADOT) to discuss impacts of the freeway system on Mesa neighborhoods.

Councilmember Kavanaugh, Chairman of the Fire Committee, announced that October 3, 1998 is the beginning of Fire Prevention Week and encouraged members of the Council to participate in planned activities during this period.

7. Prescheduled public opinion appearances. (Maximum of three speakers for three minutes per speaker).

Mayor Brown advised that there were no prescheduled public opinion appearances.

8. Adjournment.

Without objection, the meeting adjourned at 5:32 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 Study Session of the City Council of Mesa, Arizona, held on the 22nd day of September 1998. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this ____ day of _____ 1998

BARBARA JONES, CITY CLERK