

COUNCIL MINUTES

May 3, 2001

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 May 3, 2001 at 7:30 a.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

1. Review items on the agenda for the May 7, 2001 Regular Council Meeting.

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

Mayor Hawker stated that agenda items 4h and 8a will be added to the consent agenda.

Mayor Hawker stated that agenda items 4j, 6a, 7a and 9a will be removed from the consent agenda.

Mayor Hawker stated that agenda item 6i will be deleted from the consent agenda.

Vice Mayor Davidson declared a potential conflict of interest on agenda item 9a (Approving staff's recommendations relative to the establishment of a new City policy regarding joint/shared trenching for public utility providers be approved) and said he would refrain from discussion/participation in this item.

2. Hear an update on Property Maintenance Code enforcement activities.

Code Compliance Director Bill Petrie addressed the Council relative to this agenda item. Mr. Petrie provided a brief overview of the Code Compliance Division's current enforcement efforts regarding the amended Property Maintenance, Public Nuisance and Neighborhood Preservation ordinance which garnered voter approval in the March 2000 election and became effective April 23, 2000. Mr. Petrie explained that the current ordinance has enabled the Code Compliance

Division to increase enforcement measures in Mesa's neighborhoods, to partner with the community and other City departments/divisions in various neighborhood cleanup programs, and to implement programs which will provide needed community resources.

Discussion ensued regarding the fact that in 2000, over 28,000 Notices of Violation were issued and that it is anticipated that in 2001, the number will increase to an estimated 39,000; current enforcement procedures (two notices are given to Code violators prior to the issuance of a civil violation); the repeat offender provisions, and the habitual offender clause.

Mr. Petrie commented that the Code Compliance Division pursues most nuisance Code violations on all residential and commercial properties and also Housing Code violations on multi-family properties. Mr. Petrie added that single-family properties with Housing Code violations are enforced on a complaint basis only. Mr. Petrie stated that the Code Compliance Division issues primarily criminal violations under the Zoning Ordinance and that efforts are currently underway to decriminalize many such violations

Mr. Petrie noted that the Code Compliance Division has implemented various programs to assist Mesa's neighborhoods including weekend alley cleanups, neighborhood cleanups, a tool lending program and the Opportunity Zones. Mr. Petrie added that a newly developed Code Repair Program will utilize Community Development Block Grant (CDBG) funds to provide loan assistance to low income property owners who are in violation of the Housing Code.

Councilmember Kavanaugh thanked Mr. Petrie for the presentation and spoke in favor of staff's ongoing enforcement priorities. Councilmember Kavanaugh stressed the fact that Mesa's citizens must be cognizant of the distinctions between civil/criminal Code violations and voiced support for the decriminalization of the Zoning Ordinance violations.

Vice Mayor Davidson expressed appreciation regarding the professional and caring manner in which the Code Compliance Division carries out its duties. Vice Mayor Davidson also voiced concerns regarding the utilization of CDBG funding for the renovation of neighborhood homes which could eventually lapse into disrepair.

In response to a question from Vice Mayor Davidson, Mr. Petrie clarified that the participants in the CDBG-funded program are required to attend home maintenance classes to ensure that the residences remain in good repair. Mr. Petrie added that if a home is not properly maintained, the CDBG funds will become a permanent lien upon the property, and pending a final sale of the home, such funds must be refunded to the City by the homeowner.

Councilmember Pomeroy expressed support for the efforts of the Code Compliance Division.

Councilmember Walters voiced support for enhanced proactive enforcement of Mesa's neighborhoods.

Councilmember Jaffa spoke in appreciation of the presentation and stated concerns regarding Code enforcement of various downtown businesses.

Mr. Petrie spoke regarding trespassing and the destruction of property during the construction of new development

Mayor Hawker concurred with the comments of the Councilmembers and thanked Mr. Petrie for his concise and informative presentation.

3. Discuss and consider the revised speaker/comment card and agenda cover sheet.

Mayor Hawker explained that the intent of the agenda item is to assure that citizens have a clear understanding of the process by which they may address the Council at various meetings and also to ensure that the blue Speaker/Comment card and agenda cover sheet are self-explanatory and user friendly. Mayor Hawker requested input from the Councilmembers relative to the proposed revisions of the above-referenced items and also the issue of citizens requesting that an item be removed from the consent agenda.

City Clerk Barbara Jones advised that the blue Speaker/Comment card has been revised to include a place for a speaker's e-mail address and also that a Council district map has been added to the back of the agenda cover sheet.

Councilmember Walters expressed concerns that the blue Speaker/Comment card contains no explanation or reference to the consent agenda.

Councilmember Kavanaugh stated the opinion that the revisions on the blue Speaker/Comment card are helpful, but emphasized that Mayor Hawker should also inform the citizens who are in attendance at the Council meetings what their rights are with regard to requesting that an item be removed from the consent agenda.

Councilmember Pomeroy stressed the importance of the establishment of a balance between the Council's ability to conduct its meetings and the rights of citizens to voice their opinions. Councilmember Pomeroy suggested that bold print be utilized on the blue Speaker/Comment card to more clearly emphasize that the speakers have a three-minute time limit within which to make their comments.

Vice Mayor Davidson voiced support for the proposed revisions to the blue Speaker/Comment card and the agenda cover sheet. Vice Mayor Davidson urged that a script be written, passed down from mayor to mayor, to apprise the citizens of the manner in which Council meetings are conducted.

It was moved by Councilmember Walters, seconded by Vice Mayor Davidson that the revised Speaker/Comment card and agenda cover sheet be approved.

Councilmember Pomeroy requested that the motion be amended to include the bolded language with reference to the three-minute time limit for citizens to address the Council.

Councilmember Walters and Vice Mayor Davidson agreed to amend the motion.

Carried unanimously.

4. Appointments to boards and committees

Mayor Hawker recommended the following appointments to Boards and Committees:

BOARD OF ADJUSTMENT:

C. Webb Crockett – Reappointment for term ending 6/30/04.
Carl M. Perez – Appointment for term ending 6/30/04.

BUILDING BOARD OF APPEALS:

Andy Jakubowski – Appointment for term ending 6/30/04.

CRIME PREVENTION ADVISORY BOARD:

Kimberly Cummings – Reappointment for term ending 6/30/04.
Alan Ramsdell – Reappointment for term ending 6/30/04.
Mary Lou St. Cyr – Appointment for term ending 6/30/04.

DESIGN REVIEW BOARD:

Carie Allen – Reappointment for term ending 6/30/04.
John S. Poulsen – Appointment for term ending 6/30/04.

DOWNTOWN DEVELOPMENT COMMITTEE:

Art Jordan – Reappointment for term ending 6/30/04.
Wayne Pomeroy – Reappointment for term ending 6/30/04.
Terry Smith – Reappointment for term ending 6/30/04.

ECONOMIC DEVELOPMENT ADVISORY BOARD:

Mike Elliott – Reappointment for term ending 6/30/04.

ELECTRICAL ADVISORY BOARD:

Scott Riggs – Reappointment for term ending 6/30/04.
Bill Benedict – Appointment for term ending 6/30/04.

HISTORIC PRESERVATION COMMITTEE:

Lori Osiecki – Reappointment for term ending 6/30/04.
Chris Miller – Appointment for term ending 6/30/04.
Tracy Wright Wagner – Appointment for term ending 6/30/04.

HOUSING AND HUMAN SERVICES ADVISORY BOARD:

Kimberly Brooks – Reappointment for term ending 6/30/04.
Susan Klecka – Reappointment for term ending 6/30/04.
Alcira Lynne – Reappointment for term ending 6/30/04.

HUMAN RELATIONS ADVISORY BOARD:

Barbara Carpenter – Reappointment for term ending 6/30/04.
Margie Frost – Reappointment for term ending 6/30/04.
David Luna – Reappointment for term ending 6/30/04.
Judy Taussig – Reappointment for term ending 6/30/04.
Alex Finter – Appointment for term ending 6/30/04.
Mark Tompert – Appointment for term ending 6/30/04.

JUDICIAL ADVISORY BOARD:

Joe Shipley – Reappointment for term ending 6/30/04.

LIBRARY ADVISORY BOARD:

Dana-Jean Lahaie – Reappointment for term ending 6/30/04.
Dr. Michael B. Cowan – Appointment for term ending 6/30/04.
Maria M. Mancinas – Appointment for term ending 6/30/04.

MERIT SYSTEM BOARD:

Ramona Sepulveda – Reappointment for term ending 6/30/04.

MUSEUM AND CULTURAL ADVISORY BOARD:

Carmen de Novais – Reappointment for term ending 6/30/04.
Laurent Teichman – Appointment for term ending 6/30/04.

PARKS AND RECREATION BOARD:

Chester Smith – Reappointment for term ending 6/30/04.
Robin White – Reappointment for term ending 6/30/04.
David J. Petersen – Appointment for term ending 6/30/04.
E. LeRoy Brady – Appointment for term ending 6/30/04.

PERSONNEL APPEALS BOARD:

Jon Nielson – Reappointment for term ending 6/30/04.

PLUMBING, MECHANICAL AND SOLAR ENERGY BOARD:

Greg Turley – Reappointment for term ending 6/30/04.
John McDowell – Appointment for term ending 6/30/04.

SELF-INSURANCE BOARD OF TRUSTEES:

Sherene Sullivan – Appointment for term ending 6/30/04.

TRANSPORTATION ADVISORY BOARD:

David Glass – Reappointment for term ending 6/30/04.
Don Grant – Reappointment for term ending 6/30/04.
Lela Steffey – Reappointment for term ending 6/30/04.
Ron J. Taylor – Appointment for term ending 6/30/04.

It was moved by Councilmember Whalen, seconded by Councilmember Walters, that the Council concur with the Mayor’s recommendation(s) and the appointment(s) be confirmed.

Councilmember Jaffa expressed concerns regarding the voluminous number of appointments and his inability to review all the material related to this agenda item in a timely manner. Councilmember Jaffa stated that because the appointments to Mesa’s Boards and Commissions are of great importance, he would like to continue this to the May 7th meeting.

Councilmember Kavanaugh spoke in appreciation of the efforts of Mayor Hawker and Special Assistant to the City Manager Ellen Pence regarding the selection of the candidates for the various Boards and Commissions. Councilmember Kavanaugh suggested that the inclusion of an appointee’s address in Council’s backup material would be appropriate to reflect the geographic diversity or lack thereof on the Boards and Commissions. Councilmember Kavanaugh noted that a notation of the candidate’s Council district would also be helpful.

Mayor Hawker advised that due to the current Council districting process, the addresses were listed by Zip Code.

Vice Mayor Davidson concurred with the comments of Councilmember Jaffa.

Councilmember Whalen and Councilmember Walters agreed to withdraw their motion and continue this item to the May 7, 2001 Council Meeting.

Mayor Hawker advised that this agenda item will be continued until May 7, 2001 Council Meeting.

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

- a. Downtown Development Committee Meeting held April 19, 2001.
- b. Economic Development Advisory Board Meeting held March 27, 2001.

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

Carried unanimously.

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

Councilmember Kavanaugh reported on his recent attendance at a meeting held at the City’s Water Conservation Office regarding the “Water – Use It Wisely” ad campaign. Councilmember

Kavanaugh stated that 13 students were honored for their artwork which will be included in a City water conservation calendar.

Vice Mayor Davidson stated that he and Councilmember Kavanaugh attended a conference of the Sister Cities organization. Vice Mayor Davidson advised that the organization is attempting to improve student related activities and also seeking partnerships with the City of Mesa and the public schools. Vice Mayor Davidson recommended that the City improve the publications which relate to Mesa Sister Cities organization.

Vice Mayor Davidson also advised that he recently attended the Arizona State University (ASU) Morrison Institute Public Policy Seminar. Vice Mayor Davidson expressed concerns regarding the Institute's presentation and requested that a formal notification be issued by the City relative to this issue.

Councilmember Walters commented on her attendance at several meetings including the Elderly Mobility Forum, a picnic held by the Friends of the Mesa Art Center and the Mesa Partnership for Children with Special Healthcare Needs.

7. Scheduling of meetings and general information.

City Manager Mike Hutchinson stated that the meeting schedule is as follows:

Monday, May 7, 2001, 3:00 p.m. – Transportation Committee

Monday, May 7, 2001, TBA – Study Session

Monday, May 7, 2001, 5:45 p.m. – Regular Council Meeting

Wednesday, May 9, 2001, 9:00 a.m. – General Development Committee Meeting

Thursday, May 10, 2001, 7:30 a.m. – Study Session

Monday, May 14, 2001, 8:00 a.m. – Budget Hearing

Tuesday, May 15, 2001, 8:00 a.m. – Budget Hearing

Thursday, May 17, 2001, 7:30 a.m. – Study Session

Thursday, May 17, 2001, TBA – Budget Hearing

Friday, May 18, 2001, 8:00 a.m. – Budget Hearing

Mayor Hawker excused Vice Mayor Davidson from the May 18, 2001 Budget Hearing.

8. Prescheduled public opinion appearances.

There were no prescheduled public opinion appearances.

9. Items from citizens present.

Diane Gilmore, a Mesa resident, requested clarification relative to proposal recommended by the Code Compliance Department and was provided the information she needed.

Marilynn Wennerstrom, a Mesa resident, spoke in support of the revisions to the blue Speaker/Comment card and the agenda cover sheet.

Mayor Hawker thanked the speakers for their input.

10. Adjournment.

Without objection, the Study Session adjourned at 9:31 a.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 Study Session of the City Council of Mesa, Arizona, held on the 3rd day of May 2001. I further certify that the meeting was duly called and held and that a quorum was present.

BARBARA JONES, CITY CLERK