

COUNCIL MINUTES

October 3, 1997

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 October 3, 1997, at 7:31 a.m.

COUNCIL PRESENT

Mayor Wayne Brown
Pat Gilbert
John Giles
Dennis Kavanaugh
Wayne Pomeroy
Jim Stapley

COUNCIL ABSENT

Joan Payne

STAFF PRESENT

C.K. Luster
Robin Allen
Wayne Balmer
Kathy Barrett
Neal Beets
Denise Bleyle
Dennis Compton
Linda Crocker
Mike Hutchinson
Lars Jarvie
Barbara Jones
Harry Kent
Greg Marek
Ellen Pence
Bryan Raines
Andrea Rasizer
Harold Reeb
Tom Remes
Becky Richardson
Mindy White
Others

OTHERS PRESENT

Art Thomason
Marilynn Wennerstrom
Marilyn Wilson
Others

(Items on the agenda were discussed out of order but for purposes of clarity will remain as listed on the agenda.)

Mayor Brown excused Councilmember Payne from the meeting.

1. Discuss and consider a proposal from Mesa Cold Storage to redevelop Site 18.

Redevelopment Director Greg Marek provided the Council with brief background information relative to this issue and reported that in response to the City's Request for Proposals for the Redevelopment of Site 18, a single proposal was received from Mr. Daniel Coury, owner of Mesa Cold Storage. Mr. Marek stated that if the Council approves the proposal, Mr.

Coury intends to expand his business and construct a new building that will connect to the existing building.

Mr. Marek discussed staff's recommendation that the Council accept the proposal submitted by Mr. Coury/Mesa Cold Storage and direct staff to enter into negotiations relative to the preparation of a redevelopment agreement. Mr. Marek added that following Design Review Board approval, staff will initiate acquisition of the properties.

Discussion ensued relative to the fact that City expenses will exceed the amount allocated for this project during the budget process and that the City will receive total reimbursement for the land purchases in approximately 1.6 years.

Councilmember Giles noted that the proposed redevelopment agreement would require Mesa Cold Storage to utilize City of Mesa utilities for a minimum of two years and questioned whether this period of time should be extended.

Mr. Marek commented that the two-year utility agreement is linked to the minimum amount of time staff is projecting it will take for the City to receive total reimbursement from utility revenues for the land purchase. Mr. Marek indicated that Mr. Coury may be willing to negotiate the extension of the two-year period of time in return for added incentives from the City. Mr. Marek said that staff will pursue this issue during negotiations.

Councilmember Giles stressed the importance of utility revenues for the City of Mesa and indicated that he would be critical of an agreement that only requires Cold Storage to utilize City utilities for a period of two years. Councilmember Giles asked Mr. Marek to discuss his concerns with Mr. Coury and pursue extending the utility usage requirement.

Councilmember Kavanaugh concurred with Councilmember Giles' comments and stated the opinion that City utility users should provide the City with long-term agreements relative to utility service usage in return for the investment/benefits provided to them by the City.

Vice Mayor Gilbert commented on the fact that the City may not be able to compete with rates charged by larger utility companies and said that in that respect he can understand businesses' hesitancy to agree to utilize City utilities for extended periods of time. Vice Mayor Gilbert recommended that staff anticipate Mesa Cold Storage's utility service/equipment needs over the next 20 years to ensure the City's ability to provide those services. Vice Mayor Gilbert added that long-range planning such as this will serve as an added incentive and will ultimately affect whether the business remains at that location.

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

Mayor Brown declared the motion carried unanimously by those present.

2. Discuss and consider a proposal from the Voit Companies for the redevelopment of the former Bank One building.

Redevelopment Director Greg Marek informed the Council that the Redevelopment Office has received one proposal for the Redevelopment of Site 21 (Old Bank One building) from the Voit Companies. Mr. Marek requested Council direction to allow staff to proceed with

discussions/negotiations relative to entering into a redevelopment agreement. Mr. Marek added that parking remains to be addressed and discussed staff's intent to submit a proposed redevelopment agreement to the Council for consideration in late October or early November.

In response to a question from Councilmember Stapley, Mr. Marek advised that two additional parking levels, containing 350 parking spaces, may be added to the Pepper Place garage. Mr. Marek noted that the Voit Companies' project will require 250 parking spaces.

Discussion ensued relative to the Voit Companies' extensive plans to renovate the building; the possibility of locating an up-scale, open-air restaurant on the first floor of the building; food courts; Mr. Voit's willingness to commit up to approximately \$4.3 million towards the project; efforts to attract a single-tenant office user for the building and proposed square-foot leasing costs for available office space.

Mr. Marek discussed the Voit Companies' request that the City participate in the project and provide public parking which the Voit Companies will then lease from the City. Mr. Marek added that the Voit Companies is also requesting that the City discount the price of the land.

In response to a question from Vice Mayor Gilbert, Mr. Marek discussed the Voit Companies' desire to be actively involved in the redevelopment of downtown Mesa. Mr. Marek added that although building demolition and reconstruction has been considered, the present proposal will provide the most positive economic benefit. Mr. Marek discussed the possibility of adding two additional floors to the building, and indicated that this proposal will be pursued.

Discussion ensued among the Council relative to the positive effects of the proposed redevelopment project on the downtown area.

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

Mayor Brown declared the motion carried unanimously by those present.

3. Discuss and consider recommendations from the Mayor's Ad Hoc Committee to Review Election Procedures.

Mayor Brown advised that Mr. Leo Mahoney served as Chairman of the Mayor's Ad Hoc Committee to Review Election Procedures and that City Clerk Barbara Jones and Mr. Bill Brando were also members of that Committee.

Bill Brando, 61 South Macdonald, stated the opinion that all of the issues discussed and proposed by the Committee should be voted upon separately by the members of the Council. Mr. Brando noted that although a majority of the Committeemembers did not vote to require petition circulators in Mesa to be registered voters of the City, this requirement was subsequently adopted in a resolution approved by the Council.

(In response to Mr. Brando's request that various agenda items be removed from the Consent Agenda of the October 6, 1997 Regular Council Meeting, Mayor Brown encouraged Mr. Brando to contact staff and request information relative to his concerns.)

Mayor Brown advised that it is the consensus of the Council that the members of the Committee be notified of the Council's intention to vote on each of the Committee recommendations and that the members be encouraged to attend that meeting and provide input. Mayor Brown added that everyone involved will receive notification of the date of the meeting at which this issue will be addressed.

4. Consider a proposed strategy for personal computer (PC) acquisition and support.

Information Services Director Karen Kille provided the Council with a brief overview of a proposal and strategy for a City-wide personal computer (PC) acquisition and support program. Ms. Kille noted that the purpose of the proposal is standardization and stressed the importance of creating a common computing environment that facilitates employee communication and information sharing among City staff, enhances employee productivity, effectively utilizes computing support staff and conforms with the Year 2000 requirements.

Discussion ensued relative to the extensive variety of computers and software currently in use throughout the City, the fact that once the proposed three-year cycle replacement program is in place, staff is projecting that the City will save approximately \$48,000 over the current PC purchasing policy, anticipated additional annual productivity savings in the amount of \$241,000, and the positive impacts of leasing versus purchasing.

Ms. Kille requested that the Council approve staff's recommendations.

Additional discussion ensued relative to similar leasing programs in effect in the cities of Glendale and Tempe and Year 2000 compliance.

Mayor Brown commended staff and indicated that he supports the project.

It was moved by Vice Mayor Gilbert, seconded by Councilmember Kavanaugh, that staff's recommendations be approved.

Mayor Brown declared the motion carried unanimously by those present.

4.1. Further discussion concerning prohibiting firearms in public buildings and buses.

Mayor Brown advised that State law currently allows the City of Mesa to prohibit firearms in areas of concern and expressed the opinion that the adoption of a City ordinance relative to this issue is not required. Mayor Brown added that providing locker space for the safe, discreet storage of firearms in City buildings, rather than requiring the owners of weapons to leave the firearms in their vehicles, should be given further consideration. Mayor Brown added that a representative from the Arizona Rifle Association is present to address any questions the Council may wish to pose regarding this issue.

Mayor Brown encouraged the Council to review State Statutes relative to this issue in an effort to ensure that the legislation will address all of the safety concerns of the various

members of the Council. Mayor Brown added that he has also discussed the safety aspects of this issue with City Manager Charles Luster.

Councilmember Kavanaugh commented that he will support Mayor Brown and staff's opinion relative to the fact that current State laws sufficiently address this issue and agreed that providing locker space for citizens to store firearms in City buildings should be pursued.

Vice Mayor Gilbert concurred with Councilmember Kavanaugh's comments and requested that City Attorney Neal Beets prepare a brief report on Council action that may be initiated relative to this issue in accordance with State law. Vice Mayor Gilbert also expressed an interest in reviewing a survey of firearm regulations/policies currently in effect throughout the various cities and towns. Vice Mayor Gilbert expressed the opinion that State law appears to provide the City with sufficient authority relative to this issue and encouraged everyone involved to cooperatively continue to address overall firearm safety.

Mayor Brown stated that it is the consensus of the Council present that staff be directed to prepare a policy relative to this issue for future Council consideration.

In response to a question from Mayor Brown, Mr. Luster indicated that a motion is not required and that staff will provide a proposed policy for Council consideration and future adoption. Mr. Luster requested that the Council address the issue of locating metal detectors in the Council Chambers building as part of the remodeling project.

Mayor Brown stated that he personally supports the placement of metal detectors in the Council Chambers building as part of the overall remodeling project. Mayor Brown requested that members of the Council indicate any opposition to the proposed metal detectors. Mayor Brown advised that hearing no opposition, it is the consensus of the Council that the placement of metal detectors in the Council Chambers building be included as part of the overall remodeling project.

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

- a. Judicial Advisory Board meeting held September 10, 1997.
- b. Parks and Recreation Board meeting held September 11, 1997.
- c. Traffic Safety Committee meeting held September 16, 1997.
- d. Crime Prevention Advisory Board meeting held September 17, 1997.
- e. Design Review Board meeting held September 23, 1997.
- f. Housing and Human Services Advisory Board meeting held September 23, 1997.

It was moved by Councilmember Stapley, seconded by Councilmember Pomeroy, that receipt of the above listed minutes be acknowledged.

Mayor Brown declared the motion carried unanimously by those present.

6. Appointments to boards and committees.

Mayor Brown recommended the following appointments to Boards and Committees:

CRIME PREVENTION ADVISORY BOARD

Corrin R. (Corey) Gray - Term to expire June 30, 2000
Ronald C. Willis - Term to expire June 30, 2000

DESIGN REVIEW BOARD

Carie Allen, Terra to expire June 30, 1998

HISTORIC PRESERVATION COMMITTEE

Jim Davidson - Term to expire June 30, 1998
Lori Osieki - Term to expire June 30, 1998
Boyd Thacker - Term to expire June 30, 1998
Pat Mendivil - Term to expire June 30, 1999
Vic Linoff - Term to expire June 30, 1999
Chris Strauch - Term to expire June 30, 2000
Charles Crismon - Term to expire June 30, 2000

HOUSING AND HUMAN SERVICES ADVISORY BOARD

Rachel Cook - Appointment to fill vacancy for term ending 1999

It was moved by Councilmember Stapley, seconded by Councilmember Giles, that the Council concur with the Mayor's recommendations and the appointments be confirmed.

In response to a question from Councilmember Kavanaugh, Community Development Manager Wayne Balmer advised that membership applications for the Historic Preservation Committee will be reviewed by the State to ensure that the candidates meet the specific qualifications required for appointment to this Committee. Mr. Balmer added that staff does not anticipate any difficulties relative to the proposed appointments.

Mayor Brown declared the motion carried unanimously by those present.

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

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

8. Scheduling of meetings and general information.

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

Monday, October 6, 1997, 5:45 p.m. - Regular Council Meeting

Thursday, October 9, 1997, 4:00 p.m. - Policy Session

Friday, October 10, 1997, 7:30 a.m. - Study Session

Mr. Luster advised that Council training on the new computerized voting system will occur prior to the October 6, 1997 Regular Council meeting.

9. Review items on the agenda for the October 6, 1997, Regular Council Meeting.

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

3. Consider the following liquor license applications:

*e. KIMBERLY ANN BUTLER AGENT

Mr. Luster requested that the Council review this application.

Mayor Brown advised that this item will be removed from the Consent Agenda.

5. Introduction of the following ordinances and setting October 20, 1997 as the date for the public hearing on these ordinances.

*c. Code Amendment

In response to a request from Councilmember Giles, Mr. Balmer advised that staff will participate in a brief presentation outlining the proposed changes at the October 6, 1997 Council Study Session preceding the Regular Council Meeting.

6. Consider the following resolutions: .

*a. Approving and authorizing the City Manager to execute an agreement between the Regional Public Transportation Authority (RPTA) and the City of Mesa for the operation of the Mesa/Chandler/Gilbert Dial-A-Ride service.

In response to comments from Councilmember Kavanaugh relative to complaints received from citizens regarding the quality of services provided by Dial-A-Ride, Mr. Luster noted that concerns have been addressed with the Regional Public Transportation Authority (RPTA) and that the potential for improvement does exist. Mr. Luster added that the services will be closely monitored and that should a significant improvement in service not be forthcoming, the City will be forced to take appropriate action.

Mayor Brown suggested that this item be removed from the Consent Agenda to allow further discussion and concurred that this issue is critical. Mayor Brown commented on a meeting he attended at the Goldwater Institute and provided brief information relative to a 'voucher system.'

Mayor Brown noted that Dial-A-Ride, in an effort to improve their operations, has initiated sensitivity training for their drivers.

Councilmember Kavanaugh requested that RPTA and the participating Dial-A-Ride cities research whether the Dial-A-Ride provider currently furnishes drivers with workmen's compensation coverage and requested that proof of such coverage be submitted.

Mayor Brown advised that this item will be removed from the Consent Agenda and commented that the workmen's compensation issue should be addressed prior to Council consideration.

f. Pertaining to floodplain management.

Mayor Brown stated that this item will be added to the Consent Agenda.

7. Consider the following ordinances:

*a. Establishing a business license for the operation of recovery homes and supervised living facilities.

Councilmember Giles stated the opinion that the proposed ordinance does not contain specific requirements to ensure that only qualified operators are issued business licenses for the operation of recovery homes and supervised living facilities. Councilmember Giles indicated a willingness to reconsider the issue of halfway houses and requiring Council Use Permits in exchange for assurance that meaningful licensing requirements and criteria are established.

Community Development Manager Wayne Balmer commented that the proposed requirements for licensing provide the licensee with an opportunity to demonstrate that the facility will be a 'good neighbor' in the community. Mr. Balmer added that the ordinance does not dictate a level of quality of service and stated that the State, rather than the City, regulates this area. Mr. Balmer emphasized that the proposed ordinance addresses concerns of neighbors relative to neighborhood compatibility.

In response to a question from Councilmember Giles, Mr. Balmer suggested that staff provide a brief presentation at the October 6, 1997 Council Study Session relative to State regulations and the provisions of the proposed ordinance.

Discussion ensued relative to the fact that the State Department of Health Services requires behavioral programs to be included as part of the services offered by halfway houses in order to be licensed; whether the City should be involved in establishing, monitoring and enforcing quality of care provided at facilities which are not licensed by the State; the possibility of establishing minimal requirements to operate halfway houses, and citizen concerns relative to the proliferation and quality of halfway houses within the City of Mesa.

Councilmember Giles requested that this item be removed from the Consent Agenda and indicated his intention to meet with staff to further discuss this issue.

Mayor Brown advised that this item will be removed from the Consent Agenda.

10. Prescheduled public opinion appearances (maximum of three speakers for five minutes per speaker).

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

11. Items from citizens present (maximum of three speakers for five minutes per speaker).

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

12. Adjournment.

Without objection, the Study Session adjourned at 8:57 a.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 3rd day of October 1997. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 22nd day of October 1997

BARBARA JONES, CITY CLERK