

COUNCIL MINUTES

June 3, 1996

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on June 3, 1996 at 5:33 P.M.

COUNCIL PRESENT

Mayor Willie Wong
Jerry Boyd
Pat Gilbert
T. Farrell Jensen
Dale Johnson
Joan Payne
Jim Stapley

COUNCIL ABSENT

None

POLICE OFFICER
PRESENT

Chris Rash

OFFICERS PRESENT

C.K. Luster
Neal Beets
Barbara Jones

The Invocation was given by President R. Wayne Johnson, The Church of Jesus Christ of Latter-Day Saints.

The Pledge of Allegiance was led by Councilmember Stapley.

Presentation of the Don Cooper Award from Bob Evans, Mesa Public Safety Foundation.

Bob Evans, representing the Mesa Public Safety Foundation, provided background information on the annual tradition of honoring Mesa public safety personnel by presenting the Don Cooper Award to selected individuals within those departments. Fire Chief John Oliver introduced Fire Captain Warner (Ward) Fleger, last year's Award recipient, to the Council and briefly highlighted the events which resulted in Captain Fleger's nomination. Mr. Evans announced that this year's recipient is Police Officer Chris Knight who endangered his own life to assist a wounded fellow officer and to ensure the safety of citizens present at the scene. Mr. Evans stated that as a result of Officer Knight's heroic act, he was awarded the Mesa Police Department's highest honor, the Medal of Honor, and added that Officer Knight is also the recipient of the Don Cooper Annual Public Safety Award. Mr. Evans presented Officer Knight with the Don Cooper Award and expressed appreciation to Officer Knight and all members of the Mesa Police and Fire Departments for their continued dedication and assistance to the community.

Introduction of an official delegation from Kaiping, China, Mesa's Sister City.

Mayor Wong introduced the members of an official delegation from Kaiping, China, Mesa's Sister City, to the audience and welcomed Hu Nai Hui, Vice Mayor of the People's Government of Kaiping City and his wife; Zhou Qui Hong, Vice Director of the Overseas Chinese Affairs Office; and Fang Rong Yi, Vice

Director of the Foreign Affairs Office to the City of Mesa. Mayor Wong stated that the purpose of the Sister Cities Organization is to build a bridge of understanding between cities and presented the members of the group with gifts from the City of Mesa. Vice Mayor Hu Nai Hui expressed appreciation to Mayor Wong and the Council for the gifts and the City's hospitality and presented Mayor Wong with a gift on behalf of Kaiping City. Mayor Wong thanked the delegation and the members of the Mesa Sister Cities Organization for their cooperation and continuing efforts.

1. Approval of minutes of previous meetings as written.

It was moved by Councilmember Boyd, seconded by Vice Mayor Jensen, that the minutes of May 10, 17, 20, and 22, 1996 be approved.

Carried unanimously.

2. Remarks by outgoing Mayor and Councilmembers.

Councilmember Dale Johnson expressed appreciation to the citizens of Mesa for allowing him the opportunity of serving on the City Council for the past four years.

Councilmember Jerry Boyd also thanked the citizens for their support and expressed appreciation to his wife and City staff.

Mayor Willie Wong stated that citizen input received during his years of service on the Council has been invaluable and encouraged citizens to continue their participation in City government. Mayor Wong noted that during his tenure on the Council, open government was a prime focus and briefly highlighted major accomplishments which occurred during the Mayor's term of office. Mayor Wong expressed appreciation to his wife, Cobina, and his sons, Jason and Jeremy, for their continued support and thanked family members and staff for their efforts.

3. Swearing in and seating of Mayor and three Councilmembers.

Wayne Brown was sworn in as Mayor by City Clerk Barbara Jones. T. Farrell Jensen was sworn in as Councilmember by Judge David Roberts. John Giles was sworn in as Councilmember by Judge Kerry Passey. Dennis Kavanaugh was sworn in as Councilmember by City Clerk Barbara Jones.

4. Remarks and introductions by Mayor and Councilmembers.

Mayor Brown expressed appreciation to outgoing Mayor Wong for his efforts on behalf of the City of Mesa. Mayor Brown also recognized outgoing Councilmembers Boyd and Johnson and introduced his wife, Kathye, his mother, his children and their families and other friends and supporters present at the meeting. Mayor Brown thanked everyone for their support and encouragement.

Councilmember Jensen introduced his wife, Patricia Ann, his children and their families, his wife's parents and members of his campaign committee. Councilmember Jensen expressed

appreciation to all those who supported him in the recent election and thanked Mayor Wong for allowing him the opportunity to serve as Vice Mayor for the past two years.

Councilmember John Giles introduced his wife, Dawn, his daughters, and his parents, and expressed appreciation to family, friends and campaign committee members for their ongoing support. Councilmember Giles announced that his parents are celebrating their 55th wedding anniversary and paid tribute to them for the examples they have set.

Councilmember Dennis Kavanaugh advised that his parents are at home in the mid-west and expressed appreciation to them for their encouragement. Councilmember Kavanaugh also thanked his lawfirm partners, members of his committee, and friends for their efforts on his behalf.

5. Statement by Mayor Brown.

Mayor Brown stated that in the interest of time he would put aside a prepared speech he had planned to deliver and instead would offer brief remarks relative to his term in office. Mayor Brown enthusiastically talked about his fondness for and his pride in the City of Mesa and stressed the importance of citizen involvement in government. Mayor Brown noted that he is committed to ensuring that the City of Mesa prospers and grows and encouraged the citizens of Mesa to join with him in pledging their support, involvement and commitment. Mayor Brown commended staff on their dedication and efforts and stressed the importance of working together to meet the goals of the City of Mesa.

6. Election of Vice Mayor.

It was moved by Councilmember Stapley, seconded by Councilmember Jensen, that Councilmember Gilbert be elected Vice Mayor.

Carried unanimously.

7. Council Committee assignments.

Mayor Brown advised that assignments to the following Council Committees were delegated at the Study Session prior to the Regular Council Meeting:

FINANCE COMMITTEE

John Giles, Chairman
Jim Stapley
Joan Payne

FIRE COMMITTEE

Joan Payne, Chairman
Dennis Kavanaugh
T. Farrell Jensen

REDEVELOPMENT COMMITTEE

T. Farrell Jensen, Chairman
Pat Gilbert
Jim Stapley

TRANSPORTATION COMMITTEE

Pat Gilbert, Chairman
John Giles
Dennis Kavanaugh

POLICE COMMITTEE

Jim Stapley, Chairman
T. Farrell Jensen
John Giles

UTILITY COMMITTEE

Dennis Kavanaugh, Chairman
Joan Payne
Pat Gilbert

(At 5:35 P.M., Mayor Brown called for a recess, and the meeting reconvened at 5:43 P.M.)

8. 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 or a citizen present. All items identified in these minutes with an asterisk (*) were approved with one Council action.

It was moved by Councilmember Jensen, seconded by Councilmember Stapley, that the consent agenda items be approved.

Carried unanimously.

9. Acknowledge receipt of minutes and meetings of various boards and committees and consider action where appropriate.

- *a. Downtown Development Committee meeting - May 29, 1996.
- *b. Housing Advisory Board meeting - May 21, 1996.
- *c. Traffic Safety Committee meeting - May 21, 1996.

10. Consider the following liquor license applications:

a. MARILYN E. JOYCE, AGENT

Person and location transfer Bar License for The Hambone, 903 E. Main Street. This transfer is from William Hendrick, Agent, Palms Buffet, 409 Monroe Ave, Buckeye, to Marilyn E. Joyce, Agent, Memories & Dreams, Inc., 903 E. Main Street.

Jerry Lewkowitz, 3101 North Central, #1500, Phoenix, representing the applicant, Marilyn E. Joyce, requested that this case be continued to the next Regular Council Meeting.

Upon the request of the applicant's representative, it was moved by Councilmember Jensen, seconded by Councilmember Stapley, that this matter be continued to the June 17, 1996 Regular Council Meeting.

Carried unanimously.

*b. JEROME L. MILLER, AGENT

Person transfer Liquor Store License for Southwest Supermarkets, 316 E. University Drive. This transfer is from Richard A. Vanderluit, Agent, ABCO Markets, Inc., to Jerome L. Miller, Agent, Southwest Supermarkets, LLC.

c. CARL P SCHWEITZER, INDIVIDUAL

New Beer and Wine Store License for Main Stop, 2760 E. Main Street, #104. The license previously held at this location by John Daiza, Individual, Main Stop, will revert back to the State.

Councilmember Stapley advised that he requested that this item be removed from the Consent Agenda. Councilmember Stapley noted that several states deny the issuance of liquor licenses to businesses which serve both liquor and gasoline. Councilmember Stapley stated that he has consistently opposed the granting of licenses to businesses which sell both liquor and gasoline and indicated that he would not support the approval of the proposed license.

Vice Mayor Gilbert noted that the application under discussion pertains to a transfer of an existing license rather than the granting of a new license, and stated that although he appreciates Councilmember Stapley's concerns, the application is in order and he would vote to support the transfer.

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

Upon tabulation of votes, it showed:

AYES - Brown-Gilbert-Giles-Jensen-Kavanaugh-Payne
NAYS - Stapley
ABSENT - None

Mayor Brown declared the motion carried by majority vote.

11. Consider the following contracts:

- *a. Automatic protection switches for the City's microwave systems as requested by the Communications Division.

The Purchasing Division recommends accepting the low bid by Larus Corp. At \$77,480.00 plus 5% use tax of \$3,874.00 for a total of \$81,354.00.

- *b. One replacement electric punch with floor stand as requested by the Printing & Graphics Division.

The Purchasing Division recommends accepting the only bid by General Binding Corp. at \$14,601.00 plus 7.05% sales tax of \$1,029.37 for a total of \$15,630.37.

- *c. One-year renewal of the annual supply contract for roach control insecticide used by the Utility Construction Division.

The Purchasing Division recommends exercising the first of two one-year renewal options with Marketing Labs Company, Inc. at \$50,000.00 plus 5% use tax of \$2,500.00 for a total of \$52,500.00 based on estimated requirements.

- *d. Annual supply contract for the sale of scrap metal as requested by the Materials & Supplies Division.

The Purchasing Division recommends accepting the bid by American Metals Company, Inc. which offers the highest projected annual revenues of \$54,630.00.

- *e. Two replacement dump trucks and one replacement utility truck for the Utility Construction Division.

The Purchasing Division recommends accepting the following low bids:

Item 1 to I-10 International at \$77,177.79, including applicable sales tax and extended warranties; and

Item 2 to Sanderson Ford at \$48,555.79, including applicable sales tax and extended warranties.

The combined award is then \$125,733.58 which includes applicable sales tax and an extended warranty for each truck.

- *f. Two replacement tractor backhoes with front end loaders for the Utility Construction Division.

The Purchasing Division recommends accepting the low bid by R.D.O. Equipment Company at \$94,378.20 plus 7.05% sales tax of \$6,653.66 and \$2,664.00 for the five year 5000 hour extended warranty, for a grand total of \$103,695.86.

- *g. Two ice machines to be used in the new concession building for the amphitheater as requested by the Community Center Division.

The Purchasing Division recommends accepting the only bid by Commercial Refrigeration at \$10,300.00 plus 7.15% sales tax of \$736.45 for a total of \$11,036.45.

- *h. Pump Contactor Conversion Project for Mesa's CAP Water Treatment Plant.

The Purchasing Division recommends accepting the only bid by General Electric Apparatus Service at \$20,430.00 plus 7.05% sales tax on materials at \$1,170.30, and labor at \$7,820.00 for a grand total of \$29,420.30.

- *i. Modular workstations as requested by the Public Works Department.

Council is requested to authorize purchase from the State of Arizona contract with Goodman's Inc. for a total of \$72,275.08 including materials, design services, delivery, installation and applicable sales tax for the 1st and 5th floors of the City Plaza building.

*j. Riverview Park Improvements.

This project will install new ballfield lighting, renovate the restroom building, and provide office space at Riverview Park.

Recommend award to low bidder, Allied Construction Co., Inc., in the amount of \$471,717.00.

*k. East Mesa Service Center Wash Rack Modifications.

This project will construct additional wash rack facilities at the East Mesa Service Center for the purpose of cleaning heavy equipment vehicles.

Recommend award to low bidder, Richardson & Richardson, in the amount of \$184,900.00.

*l. East Broadway Road Water Line Replacement.

This project will install a new 12-inch water line on East Broadway Road from South Gilbert Road to South Lindsay Road, replacing an existing line that has broken several times.

Recommend award to low bidder, T & T Construction, in the amount of \$341,233.50.

*m. One replacement high volume copier for the City Court.

The Purchasing Division recommends authorizing purchase from the State of Arizona contract with Business Equipment, Inc., at \$10,974.00 plus 7.05% sales tax of \$773.67 for a total of \$11,747.67.

12. Introduction of the following ordinances and setting June 17, 1996 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. Prohibiting parking on Hawes Road from the north City limits to the south City limits, on the south side of McLellan Road from a point 330 feet east of Country Club Drive to a point 105 feet east of Freeman, and on the north side of McLellan Road from a point 330 feet east of Country Club Drive to Freeman; reducing the speed limit from 30 mph to 25 mph on McLellan Road from Val Vista Drive to a point 485 feet east of Ogden, and

40th Street from Brown Road to McLellan Road, and reducing the speed limit from 35 mph to 30 mph on Horne from Lehi Road to the north City limits, all as recommended by the Traffic Safety Committee.

- *b. Deleted.
- *c. **Z96-27** The northwest corner of Hermosa Vista Drive and 40th Street. Rezone from R1-35 to R1-35-PAD (20± acres). This case involves a 20 lot single residence subdivision. E.W. Gardner, owner/applicant. CONTINUED FROM MAY 20, 1996 FOR INTRODUCTION OF COUNCIL ORDINANCE.
- *d. **Z96-31** South of the southwest corner of McKellips Road and Horne. Rezone from R1-43 to R1-6 (5.5± acres). This case involves a 31 lot single residence subdivision. Serrine Family Trusts, owner; EPJ & Associates, applicant.
- *e. **Z96-32** The 4100 block of East McLellan Road - north side. Rezone from R1-35 to R1-35-PAD (20± acres). This case involves a 21 lot single residence subdivision. Citrus JV, owner; Gary Finlinson, applicant. TWO ORDINANCES: APPLICANT'S PROPOSAL AND STAFF RECOMMENDATION.
- *f. **Z96-33** 2920 East Baseline Road. Site Plan Modification (3± acres). This case involves development of a mini-storage facility. John Rang, owner; Greg Hitchens, applicant.
- *g. **Z96-35** The northwest corner of Signal Butte Road and Southern Avenue. Rezone from R1-9-DMP to R1-9-PAD, R1-7, R1-7-PAD, R1-6 and Conceptual R1-9-PAD, R1-7, R1-6, R1-6-PAD, R-3, R-2, C-2, and PF) with a DMP overlay (580± acres). This case involves a Development Master Plan with single residence, multi-residence and commercial land uses. J.A. Farnsworth, Jr. owner; Denro Developments, Ltd, applicant.
- *h. **Z96-36** The northwest corner of Clearview Avenue and Superstition Springs Blvd. Site Plan Review (18± acres). This case involves the development of an 83,000 sq. ft. theater complex and two restaurant pad buildings. The Anz Company, owner; C.C.B. & C., Inc., applicant.
- *i. **Z96-37** 3960 East Broadway. Rezone from R-4 to C-1(1± acre). This case involves the establishment of commercial zoning for an existing beauty shop and the adjacent vacant lot. Charlotte Griffith, owner; Barry Pietz, applicant.
- *j. **Z96-38** 5524 East Baseline Road. Rezone from AG (Conceptual M-1) to M-1 (2.29 acres). This case involves the development of an office (phase 1) and truck/trailer rental facility (phase 2). Lynn Urry, owner; Malcolm Pace, applicant.

13. Consider the following resolutions:

- *a. Granting an easement for underground power to Salt River Project (SRP) at Alma School Road and Fairway Drive - Resolution No. 6912.

Easements are necessary for SRP to install underground feeder system.

- *b. Approving the application for Arizona State Parks Board Heritage Funds or Land and Water Conservation Funds - Resolution No. 6913.
- *c. Approving and authorizing the City Manager to execute an intergovernmental agreement with the Arizona State Department of Library, Archives and Public Records concerning State Grant-In-Aid Funds - Resolution No. 6914.
- *d. Authorizing the City Manager to execute an intergovernmental agreement with the Apache Junction Fire District which will authorize Mesa to provide fire dispatch services for the District - Resolution No. 6915.

14. Adjournment.

It was moved by Councilmember Jensen, seconded by Councilmember Stapley, that the Regular Council Meeting adjourn at 6:48 P.M.

Carried unanimously.

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 3rd day of June, 1996. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 24th day of June 1996

BARBARA JONES, CITY CLERK