



COUNCIL MINUTES

September 21, 1999

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 21, 1999 at 4:15 p.m.

COUNCIL PRESENT

Jim Davidson
John Giles
Keno Hawker
Bill Jaffa
Dennis Kavanaugh
Pat Pomeroy

COUNCIL ABSENT

Mayor Wayne Brown

STAFF PRESENT

C.K. Luster
Kevin Adam
Shelly Allen
Don Ayers
Wayne Balmer
Neal Beets
Dennis Bleyle
Candace Cannistraro
Dennis Compton
Linda Crocker
Bob DeLeon
G. T. Fowler
John Geier
Pat Harmon
Mike Hutchinson
Barbara Jones
Kari Kent
Ron Krosting
Dorinda Larsen
Rich Lorig
Greg Marek
Sandy Mason
Frank Mizner
Keith Nath
Joe Padilla
Ellen Pence
Bill Petrie

STAFF PRESENT (CONT.)

Bryan Raines
Andrea Rasizer
Tom Remes
Regan Robbins
Sharon Seekins
Jenny Sheppard
Jan Strauss
Gerry Suftko
Doug Tessorndorf
Kim West
Mindy White
Paul Wilson
Mark Woodward
Others

OTHERS PRESENT

Margie Frost
Randy Gray
Barrett Marson
Betsy Metzger
Carol McCormick
Mark Reeb
Others

Vice Mayor Giles excused Mayor Brown from the Study Session.

1. Review items on the agenda for the September 21, 1999 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 agenda items:

1. Approval of minutes of previous meetings as written.

Councilmember Pomeroy requested that the September 7, 1999 Regular Council Meeting minutes be amended to include additional comments that he made at that meeting. City Clerk Barbara Jones stated that the minutes will be amended as requested.

8. Consider the following ordinances:

- *a. A98-5 Annexing the property on the south side of East McDowell Road from North Waterbury Road east to North 90th Street.
- *b. Pertaining to the subdivision regulations; amending Title 9, Chapter 6, Section 5 of the Mesa City Code expanding the boundaries of the Desert Uplands area, establishing native plant preservation standards; and providing penalties for the violation thereof.
- *c. Amending Title 4, Building Regulations; adopting a new Chapter 11 Grading Permits; Desert Uplands area; and providing penalties for the violation thereof.

Councilmember Jaffa indicated that he had potential conflicts of interest in connection with agenda Items 8*a, *b, *c which he wanted recorded in the minutes of the meeting, and because of such conflicts of interest, he would refrain from voting upon or otherwise participating in any manner in connection with same.

1.1. Hear a report concerning damages resulting from the Sunday night storm along with a report of the City's response and efforts to provide aid and assistance.

Fire Chief Dennis Compton and Assistant Fire Chief Bob DeLeon presented the Council with a brief update regarding the September 19, 1999 storm damage in the area of 80th Street and Baseline Road. Chief DeLeon praised the combined efforts of numerous City departments as well as the invaluable assistance rendered by the American Red Cross and the Mesa United Way to provide temporary shelter, aid and to the 75-plus displaced families security to the affected neighborhoods. Chief Compton stated that the estimated cost of damages to the City could reach approximately \$25 million and commented that if Mesa was declared a disaster area, relief could be achieved in the form of low-interest loans through the Small Business Administration.

Councilmembers Kavanaugh, Pomeroy and Jaffa expressed their deep appreciation to City staff for their extensive efforts and also added a commendation to the private sector and the Red Cross for their unwavering support in this time of crisis.

Councilmember Jaffa requested that staff research the recent pattern of unusually harsh weather to examine the potential susceptibility of mobile home parks to storm damage and also the possibility of modifying housing codes to address that issue.

Vice Mayor Giles remarked that the Red Cross has prepared a tentative budget of their anticipated financial needs and will present it to the Council at a future meeting.

Vice Mayor Giles thanked everyone for their input.

2. Review and discuss proposed Design and Use Standards for The Commons Industrial Park.

Councilmember Jaffa indicated that he had a potential conflict of interest in connection with the matter now under discussion which he wanted recorded in the minutes of the meeting and that because of such conflict, he would refrain from discussing and/or participating in any manner in connection with same.

Community Development Manager Wayne Balmer presented the Council with a brief synopsis of a September 2, 1999 General Development Committee Meeting and the Committee's recommendations to the Council with regard to changes in the current direction of the development process.

Mr. Balmer noted that one of the recommendations includes the construction of a screen wall along the western property line of The Commons Industrial Park. Mr. Balmer further stated that the wall, which would be six feet tall and above the grade of the adjacent canal service road, would be architecturally compatible with the Somerset Estates subdivision. Mr. Balmer commented that the second recommendation entails each of the lot owners planting two rows of trees east of the wall.

Mr. Balmer additionally remarked that the Committee's third recommendation is the inclusion of enhanced development standards with regards to the appearance and quality of the project as well as landscaping and setbacks. Mr. Balmer stated that a suggestion was made that the City use the standards of the 1984 CC&Rs that were approved earlier as conditions of approval for the industrial zoning on the property and incorporate those into the design standards the City would review when applicants apply to the City for building permits.

Councilmembers Davidson and Kavanaugh concurred with staff's recommendations relative to proceeding with this case.

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

Councilmember Davidson expressed concern regarding the City's position relative to interfacing and transitioning industrial, office and light manufacturing development on and around residential areas.

In response to a question from Vice Mayor Giles, Mr. Balmer remarked that if the pending motion is approved, staff is seeking direction from the Council with regards to pending cases permits.

Mr. Balmer stated that it is staff's proposal to incorporate the standard City design review items with the existing deed restrictions and then to present those to developers and/or owners within this property to demonstrate the standards they must meet to obtain a building permit.

Councilmember Kavanaugh indicated his intention to amend the motion to reflect that direction to staff and Councilmember Hawker seconded the amendment to the motion.

Upon tabulation of votes it showed:

AYES - Davidson-Giles-Hawker-Kavanaugh-Pomeroy
NAYS - None
ABSTAIN - Jaffa
ABSENT - Brown

Vice Mayor Giles declared the motion carried unanimously by those present and voting.

3. Discuss and consider a proposed lease/sale of the property at 833 W. McLellan.

Mr. Balmer presented the Council with a brief history of this agenda item. Mr. Balmer indicated the Marc Center has approached the City and offered to lease the subject property for a period of six years for \$1 per year and added that at the conclusion of that time, the Center will purchase the property for \$130,000.

Councilmember Kavanaugh stated his concurrence with staff's recommendation and remarked that the Marc Center has an excellent track record within the community.

Councilmember Jaffa indicated that although he has high regard for the Marc Center, he has reservations regarding the fact that the City has not conferred with other non-profit agencies concerning potential interest in the property. Councilmember Jaffa also expressed concern that this proposal circumvents the budget process and indicated he would prefer that this proposal item be subject to a Request for Proposal (RFP) process.

Councilmember Kavanaugh expressed disagreement with Councilmember Jaffa and indicated this proposed lease/sale is consistent with previous Council action relative to non-profit agencies.

In response to a question from Vice Mayor Giles, Real Estate Services Director Doug Tessendorf explained that the prospect of selling the property in its current condition is highly unlikely due to the configuration of the institutional floor plan and the fact the building would require considerable renovation to transform it into a single-family residence.

In response to a question from Vice Mayor Giles, Mr. Balmer commented that the City did consider the Child Crisis Center and Save The Family as two alternative lessees for the property, but noted that following a neighborhood meeting to discuss this proposal, it was determined that the Marc Center would be a more appropriate facility for that site.

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

Upon tabulation of votes it showed:

AYES - Davidson-Giles-Hawker-Kavanaugh-Pomeroy
NAYS - Jaffa
ABSENT - Brown

Vice Mayor Giles declared the motion carried by majority vote of those present.

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

- a. Design Review Board meeting held September 1, 1999.
- b. General Development Committee meeting held September 2, 1999.

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

Vice Mayor Giles declared the motion carried unanimously by those present.

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

Councilmember Kavanaugh reported on a recent Fire Department Honor Guard service which he attended in Colorado Springs, Colorado for firefighters killed in the line of duty. Councilmember Kavanaugh stated it was a great honor to attend the event.

6. Scheduling of meetings and general information.

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

Thursday, September 23, 1999, 7:30 a.m.- Council Study Session

Friday, September 24, 1999, 2:30 p.m.- Seminar on Weapons of Mass Destruction

Mr. Luster advised that the Police Committee Meeting has been changed from September 29, 1999 at 4:00 p.m. to September 30, 1999 at 5:00 p.m.

7. Prescheduled public opinion appearances.

Vice Mayor Giles stated that there were no prescheduled public opinion appearances.

8. Adjournment.

Without objection, the Study Session adjourned at 5:35 p.m.

WAYNE BROWN, MAYOR

ATTEST:

BARBARA JONES, CITY CLERK

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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 21st day of September, 1999. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this ____ day of _____ 1999

BARBARA JONES, CITY CLERK