

COUNCIL MINUTES

May 11, 2000

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 11, 2000 at 8:02 a.m.

COUNCIL PRESENT

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

COUNCIL ELECT

Claudia Walters

COUNCIL CANDIDATE

Kathy Tolman
Mike Whalen

STAFF PRESENT

Mike Hutchinson
Shelley Allen
Don Ayers
Robert Bagley
Joan Baier
Kathy Barrett
Neal Beets
Denise Bleyle
Dennis Compton
Bob DeLeon
Luigi Digirolamo
Wayne Evans
G.T. Fowler
Jack Friedline
Pat Granillo
Bill Haney
Melita Hillman
Joe Holmwood
Barbara Jones
Karen Kille
Karl Kolhoff
Ron Krosting
Rich Lorig
Greg Marek
Monica Michelizzi
Don Miller
Frank Mizner

STAFF PRESENT (CONT.)

Keith Nath
Joe Padilla
Jerry Paulus
Ellen Pence
David Plumb
Bryan Raines
Andrea Rasizer
Tom Remes
Becky Richardson
Jenny Sheppard
Jan Strauss
Walter Switzer
Doug Tessoroff
Lois Underdah
Jamie Warner
Mindy White
Paul Wilson
Jim Wright
Others

OTHERS PRESENT

Betty Beard
Barrett Marson
Others

1. Review items on the agenda for the May 15, 2000 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:

6. Consider the following contracts:

- *h. Water Line Replacements near McLellan Road and Grand. City of Mesa Project No. 99-87.1

This project will replace the areas of water line which have shown a high failure rate.

- *i. 1999/2000 Arterial and Collector Overlay/Reconstruction Project. City of Mesa Project No. 00-88.

This project will overlay a section of 8th Avenue between Gilbert Road and Spur Street and a section of 8th Street between Center Street and Mesa Drive. In addition, the project will reconstruct Hale and Hope Streets between Gilbert Road and Lindsay.

- *k. 1999/2000 Residential Overlays. City of Mesa Project No. 00-87

This project is the annual project to overlay various residential roadways.

Councilmember Hawker indicated that he had potential conflicts of interest in connection with the above three listed items (*h,*i & *k) which he wanted reported in the minutes of the meeting, and because of such conflict of interest, he would refrain from voting upon or otherwise participating in any manner in connection with same.

Mayor Brown stated that agenda items *h, *i and *k will be removed from the consent agenda.

8. Consider the following resolutions:

- *a. Authorizing the City Manager to enter into an Intergovernmental Agreement with the City of Phoenix for receipt of Federal Grant Funds for transit vehicle maintenance.
- *b. Authorizing the City Manager to enter into an Intergovernmental Agreement with the City of Phoenix for receipt of Federal Grant Funds for purchase of two transit vehicles.

In response to a question from Councilmember Davidson, Transit Administrator Jim Wright indicated that the funds being utilized with reference to the above-agenda items constitute formula grant funds and are not derived from the discretionary grant program.

- *d. Vacating the right-of-way for the alley located in the 1700/1800 blocks between East 2nd Avenue and East Nielson Avenue.

The easement is necessary for ingress and egress and for public utilities.

Councilmember Davidson indicated that he had a potential conflict of interest in connection with the matter now under discussion which he wanted reported in the minutes of the meeting, and because of such conflict of interest, he would refrain from voting upon or otherwise participating in any manner in connection with same.

Councilmember Hawker requested that staff provide additional information to Council prior to consideration of this agenda item at the May 15, 2000 Regular Council Meeting.

Mayor Brown stated that this item will be removed from the consent agenda.

- *e. Authorizing the City Manager to execute an Intergovernmental Agreement with Maricopa County to relocate the County Justice of the Peace Courts and other County services and offices to downtown Mesa, Redevelopment Site No. 7.

In response to a question from Councilmember Hawker, Development Director Greg Marek stated the opinion that with the relocation of Maricopa County services to the above-referenced location, downtown Mesa will become the hub of East Valley government services, housing both City and County facilities.

Vice Mayor Giles and Councilmember Jaffa spoke in support of this agenda item.

Mayor Brown stated that this item will be removed from the consent agenda.

9. Consider the following ordinances:

- *a. Relating to traffic safety; amending Sections 6-12-5, 6-12-6, 10-3-21 and 10-3-25 of the Mesa City Code; and preserving rights and duties that have already matured and proceedings that have already begun under those sections.

Councilmember Pomeroy requested that City Attorney Neal Beets provide Council with a brief summary relative to the current and proposed noise ordinance prior to the May 15, 2000 Regular Council Meeting.

Mayor Brown stated that this item will be removed from the consent agenda.

- *d. Relating to public health and safety, amending the 1997 Uniform Fire Code, amending certain provisions in the amendments to the Uniform Fire Code; amending Title VII, Chapter 2 of the Mesa City Code and providing penalties for violations, thereof and establishing a delayed effective date of January 1, 2001 for Sections 1003.2.5 and 1003.2.5.1 in the amendments.

Councilmember Jaffa encouraged the home building community to incorporate a fire sprinkler system in future model homes and emphasized the importance of displaying the system as a potential option for homebuyers.

Councilmember Kavanaugh commended Fire Chief Dennis Compton and his staff for maintaining positive lines of communication with the building community and local Realtors relative to the creation of this new ordinance. Councilmember Kavanaugh added that the contents of this ordinance is a positive step forward in providing enhanced fire safety within the community to all citizens.

Mayor Brown concurred with the opinions of Councilmembers Jaffa and Kavanaugh and commended the Fire Department for being an innovative leader nationally in the field of fire prevention.

Mayor Brown stated that this item will be removed from the consent agenda.

12. Consider the following recommendation from the Police Committee:
 - a. Recommend staff's recommendation relative to the development of an interim pilot program during which the City will contract with a process server to deliver summonses to approximately 300 defendants a month who have not acknowledged receipt of the summonses within a 65-day period be approved, and that staff be directed to pursue changes in State law relative to this issue.

Assistant Police Chief Greg Fowler provided Council with a brief analysis of the Police Department's two proposed options to increase the effectiveness of the Photo Safety Enforcement Program. Chief Fowler stated that under Proposal A, process servers would serve all unacknowledged citations and that anticipated revenues would be approximately \$12,000. Chief Fowler added that Proposal B would be the same as Proposal A; however, only one-third of the estimated unacknowledged citations would be process served and the revenues would constitute between 4 and \$5,000. Chief Fowler emphasized that the anticipated offsets would constitute a 50% success rate of offenders remitting payment for the citations which were served by the process servers.

Vice Mayor Giles endorsed Proposal A and remarked that it is imperative that the City endorse full enforcement and not assume an incremental approach to this issue. Vice Mayor Giles further noted that with the potential increase in serving process, the Purchasing Division should possibly render an opinion with regard to issuing a new Request For Proposal (RFP) relative to process serving services.

Councilmember Pomeroy stated the opinion that a "test period" should be instituted to determine whether the Photo Safety Enforcement Program is successful prior to the City incurring unnecessary and costly expenses.

Mayor Brown concurred with the remarks of Vice Mayor Giles.

In response to a question from Councilmember Hawker, Mr. Beets indicated that if Council chose Proposal A or Proposal B, the proposed recommendation would meet the legal posting requirements; however, staff would need to conduct further research on the issue of instituting a new process server contract.

Councilmember Jaffa concurred with the comments offered by the other Councilmembers relative to this agenda.

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

- a. Crime Prevention Advisory Board meeting held April 19, 2000.
- b. Downtown Development Committee meeting held April 20, 2000.
- c. Economic Development Advisory Board meeting held April 4, 2000.
- d. Parks and Recreation Board meeting held April 13, 2000.
- e. Transportation Advisory Board meeting held April 18, 2000.

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

Carried unanimously.

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

Councilmember Kavanaugh discussed his recent attendance at the National League of Cities' Technology and Communication Steering Committee meeting in which the main topic of discussion was access to telecommunications and Internet for business communities nationwide. Councilmember Kavanaugh also recounted his participation in a Great Phoenix Economic Council (GPEC) seminar in Washington, D.C. in which the delegation met with national and international companies interested in possibly locating to Arizona. Councilmember Kavanaugh added that meetings were also conducted with the Arizona congressional delegation as well as federal government representatives with regard to Internet taxation. Councilmember Kavanaugh expressed appreciation to Senator Kyle for supporting the City's position with regard to this issue.

4. Scheduling of meetings and general information.

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

Friday, May 12, 2000, 8:00 a.m. - Budget Review

Monday, May 15, 2000 - Study Session

Monday, May 15, 2000, 5:45 p.m. - Regular Council Meeting

Thursday, May 18, 2000, 7:30 a.m. - Study Session

Thursday, May 18, 2000, Finance Committee Meeting - Immediately following Study Session

Friday, May 19, 2000 - Farewell Party for Mayor Brown and Vice Mayor Giles

Thursday, May 25, 2000, 7:30 a.m. - Study Session

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

There were no prescheduled public opinion appearances

6. Items from citizens present. (Maximum of three speakers for three minutes per speaker).

There were no items from citizens present.

7. Adjournment.

Without objection, the Study Session adjourned at 8:50 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 11th day of May, 2000. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this ____ day of _____ 2000

BARBARA JONES, CITY CLERK