

COUNCIL MINUTES

March 19, 2007

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on March 19, 2007 at 5:45 p.m.

COUNCIL PRESENT

Mayor Keno Hawker
Rex Griswold
Kyle Jones
Scott Somers
Claudia Walters
Mike Whalen

COUNCIL ABSENT

Tom Rawles

STAFF PRESENT

Christopher Brady
Debbie Spinner
Barbara Jones

(Mayor Hawker excused Councilmember Rawles from the entire meeting.)

Invocation by Reverend Shelly Moe, Celebration of Life Presbyterian Church.

Pledge of Allegiance was led by Mayor Hawker.

Mayor's Welcome.

Mayor Hawker welcomed everyone to the meeting. A videotaped presentation was aired that outlined meeting procedures and provided attendees with instructions relative to addressing the Council.

1. Take action on all consent agenda items.

All items listed with an asterisk (*) will be considered as a group by the City Council and will be enacted with one motion. There will be no separate discussion of these items unless a Councilmember or citizen requests, in which event the item will be removed from the consent agenda and considered as a separate item. If a citizen wants an item removed from the consent agenda, a blue card must be completed and given to the City Clerk prior to the Council's vote on the consent agenda.

It was moved by Vice Mayor Walters, seconded by Councilmember Jones, that the consent agenda items be approved.

Mayor Hawker declared the motion carried unanimously by those present.

*2. Approval of minutes of previous meetings as written.

Minutes from the February 8, 15 and 22 and March 5, 2007 Council meetings.

*2.1. Take action on the appointment of Gary Ray as the Council-appointed City Auditor.

Vice Mayor Walters commented that with the approval of tonight's consent agenda, the Council has selected its first Council-appointed City Auditor, Gary Ray. She acknowledged Mr. Ray's presence in the audience and congratulated him on his appointment. Vice Mayor Walters explained that in the past, the City Auditor reported directly to the City Manager, but said that as a result of action taken by Mesa voters last year, it is now a Council-appointed position. She added that Mr. Ray, who has been acting as the Interim Council-appointed City Auditor, recently participated, among others, in an interview process and was ultimately chosen by the Council.

3. Conduct a public hearing on the final assessments for the Crismon Business Park Special Improvement District No. 241. (Related to Agenda Item 8a.)

This project installed street improvements along portions of South Crismon Road, East Hampton Avenue, and South Cheshire Street. The costs for the proposed improvements will be assessed to the adjacent property owners under the Special Improvement District Laws.

Mayor Hawker announced that this is the time and place for a public hearing on the final assessments for the Crismon Business Park Special Improvement District No. 241.

There being no citizens present wishing to speak on this issue, the Mayor declared the public hearing closed.

4. Conduct a public hearing and take action on an amendment to the land use map for the following Minor General Plan Amendment:

4a. Public hearing on General Plan Amendment **GPMInor07-01 (Citywide)**.

Mayor Hawker announced that this is the time and place for a public hearing on General Plan Amendment **GPMInor07-01 (Citywide)**.

There being no citizens present wishing to speak on this issue, the Mayor declared the public hearing closed.

4b. Take action on the following resolution:

GPMInor07-01 (Citywide) Proposed General Plan Land Use Amendment: Text Amendment to the Mesa 2025 General Plan. (All Council Districts). Minor General Plan Amendment to change the text in Chapter 14 titled Plan Administration of the Mesa 2025 General Plan adopted on June 24, 2002. In particular, the text amendment deals with specific revisions to Section 14.2.1 for Major Amendment Definition and Section 14.2.2 for Major Amendment Process. City of Mesa is the applicant – Resolution No. 8932.

P&Z Recommendation: Approval. (Vote: 7-0)

DDC Recommendation: Approval. (Vote: 7-0)

It was moved by Vice Mayor Walters, seconded by Councilmember Somers, that Resolution No. 8932 be adopted.

Mayor Hawker declared the motion carried unanimously by those present and Resolution No. 8932 adopted.

5. Take action on the following liquor license applications:

*5a. Wal-Mart Neighborhood Market #3846

New Beer & Wine Store for Wal-Mart Neighborhood Market #3846, 2725 East McKellips Road, Wal-Mart Stores, Inc. – Applicant, Clare Hollie Abel – Agent. No previous liquor license at this location. (District 1)

*5b. Rubio's Fresh Mexican Grille

New Restaurant License for Rubio's Fresh Mexican Grille, 937 North Dobson Road, Suite 106, Rubio's Restaurants, Inc. – Applicant, Christopher Curt Bartos – Agent. No previous liquor license at this location. (District 1)

6. Take action on the following contracts:

*6a. Electronic Patient Care Records System as requested by the Mesa Fire Department. (Quality of Life and Federal Metropolitan Medical Response System [MMRS] Grant Funded.)

The Procurement Services Department recommends authorizing purchase from ROAM I.T., Inc. in the amount of \$392,662.72, including applicable sales tax for system implementation and \$89,250 annually for ongoing operations and maintenance costs over the three-year contract period.

*6b. Automated Fingerprint Identification System (AFIS) Upgrade as requested by the Mesa Police Department. (Partially Grant Funded Quality of Life and Justice Assistance Grant [JAG] Funds.)

The Procurement Services Department recommends authorizing purchase from Sagem Morpho, Inc. in the amount of \$268,885.90, including applicable use tax.

*6c. Tape Library and Disk Storage Systems as requested by the Mesa Police Department. (Fully Grant Funded Crime Laboratory Assessment Grant Program.)

The Procurement Services Department recommends authorizing purchase from GTSI Corp. at \$54,593.45 and Tech Depot at \$50,172.67 for a total of \$104,766.12, including applicable sales and use tax.

*6d. Renewal Supply Contract for Water Treatment Chemicals for Warehouse Inventory.

The Procurement Services Department recommends authorizing purchase from Brenntag Pacific at \$41,220.03 and DPC Enterprises at \$78,285.26, including applicable sales tax, for a combined award of \$119,505.29 annually.

- *6e. Three-year Supply Contract for Potable Water Treatment Chemicals as requested by the Utilities Department, Water Division.

The Procurement Services Department recommends authorizing purchases from: Brenntag Pacific at \$223,968.25; NORIT Americas, Inc. at \$246,531.25; DPC Enterprises at \$211,333.20; Polydyne, Inc. at \$74,534.38; and Univar USA, Inc. at \$61,467.50, including all applicable sales and use tax. The combined award is then \$817,834.58 annually.

7. Introduction of the following ordinances and setting April 2, 2007 as the date of the public hearing on these ordinances:

- *7a. **A07-02 (District 5)** Annexing land located on Thomas Road west of Hawes Road (39.42 ± ac). Initiated by Nathan Palmer representing the property owners.
- *7b. Amending the City of Mesa Zoning Ordinance, Sections 11-1-6 and 11-13-2 (H) to add requirements for “Corral Fences.”

P&Z Recommendation: Approval. (Vote: 7-0)

- *7c. **Z07-19 (District 2)** 3155 East Southern Avenue. Located east of Lindsay Road on the south side of Southern Avenue (1.22± ac.). Site Plan Modification. This request will allow the development of a medical office building. Frank Pettit, LGE Corporation, owner; Steven Nevala, Cawley Architects, applicant. **(Notified property owners, registered neighborhoods and homeowners’ associations.)**

PHO Recommendation: Approval with Conditions.

8. Take action on the following resolutions:

- 8a. Approving the final assessments for the Crismon Business Park Special Improvement District No. 241 – Resolution No. 8933. **(Related to Item 3.)**

This project installed street improvements along portions of South Crismon Road, East Hampton Avenue, and South Cheshire Street. The costs for the proposed improvements will be assessed to the adjacent property owners under the Special Improvement District Laws.

It was moved by Councilmember Griswold, seconded by Councilmember Whalen, that Resolution No. 8933 be adopted.

Mayor Hawker declared the motion carried unanimously by those present and Resolution No. 8933 adopted.

- *8b. Extinguishing a portion of a drainage easement at 7130 East Saddleback, #7 – Resolution No. 8927.

The easement is being extinguished to allow the construction of a new swimming pool.

- *8c. Extinguishing an easement for a water line at 1425 South Greenfield Road – Resolution No. 8928.

This easement is being extinguished to allow the construction of a new medical office building.

- *8d. Ordering the sale of \$66,810,000 principal amount of City of Mesa Utility Revenue Bonds, Series 2007; and authorizing the reimbursement from bond proceeds of certain advances on construction projects – Resolution No. 8929.
- *8e. Ordering the sale of \$15,915,000 principal amount of City of Mesa General Obligation Bonds, Series 2007; and authorizing the reimbursement from bond proceeds of certain advances on construction projects – Resolution No. 8930.
- *8f. Ordering the sale of \$10,675,000 principal amount of City of Mesa Highway User Revenue Bonds, Series 2007; and authorizing the reimbursement from bond proceeds of certain advances on construction projects – Resolution No. 8931.

9. Discuss, receive public comment, and take action on the ordinances introduced at a prior Council meeting. Any citizen who wants to provide comment should submit a blue card to the Clerk before the item is voted on. If a citizen wants to comment on an item listed with an asterisk (*), a blue card must be given to the Clerk before Council votes on the consent agenda.

- *9a. Amending Section 11-18-8 of the Zoning Ordinance to provide for simplified site plan modifications and fee for such modifications – Ordinance No. 4676. **(Related to Item 10.)**

P&Z Recommendation: Approval. (Vote: 7-0)

DDC Recommendation: Approval. (Vote: 6-0 with Boardmembers Jarvis, Close and Riekema absent.)

- *9b. **A06-29 (District 5)** Annexing land located on University Drive west of Power Road (7.9± ac). Initiated by Bill Duff, representing the property owner – Ordinance No. 4677.

- *9c. Amending Section 11-19-7 of the Mesa City Code with regard to “Portable Business Identification Signs” (aka: A-frame Signs). **(CONTINUED TO THE APRIL 2, 2007 REGULAR COUNCIL MEETING.)**

P&Z Recommendation: Approval. (Vote: 4-1 with Boardmember Mizner nay and Boardmembers Adams and Langkilde absent.)

DDC Recommendation: Denial. (Vote: 5-0)

- *9d. **Z07-16 (District 6)** 6846 East Warner Road. Located at the east of Power Road on the north side of Warner Road (.80± ac.). Site Plan Review. This request will allow the development of a credit union within the Gateway Norte Business Park. Harry Mateer, Altier Credit Union, owner; Chip Nix, applicant – Ordinance No. 4678. **(Notified property owners.)**

P&Z Recommendation: Approval. (Vote: 6-0-1 with Boardmember Adams abstaining.)

- 9e. **Z07-18 (District 1)** The 800 to 1200 blocks of North Dobson Road (east side) and the 1200 to 2000 blocks of West 8th Street (north side). Located north and east of Dobson Road and 8th Street (173 acres +/-). Rezone from C-2, C-2 BIZ, C-3 and PEP to C-2 PAD, C-2 BIZ PAD, C-3 PAD, and PEP PAD. This request is to facilitate individual ownership of parcels within the Riverview commercial development. Hurley Land Co., LLC, Robert E. Hurley, manager/member; Sachs Ranch Co., LLC, Helen Elaine Hurley Smith, manager/member; Riverview Partners, LLC, Jerald Friedman and Marty DeRito, managing members, owners; Vincent DiBella, applicant – Ordinance No. 4679. **(Notified property owners and the Mesa Grande Homeowners' Association.)**

PHO Recommendation: Approval with conditions.

Mayor Hawker declared a potential conflict of interest and said he would refrain from discussion/consideration of this agenda item. He yielded the gavel to Vice Mayor Walters for action on this agenda item.

It was moved by Councilmember Griswold, seconded by Councilmember Somers, that Zoning Case **Z07-18** be approved and Ordinance No. 4679 be adopted.

Upon tabulation of votes, it showed:

AYES - Griswold-Jones-Somers-Walters-Whalen
ABSTAIN - Hawker
ABSENT - Rawles

Vice Mayor Walters declared the motion carried unanimously by those present and voting and Ordinance No. 4679 adopted.

With action on this agenda item being completed, Vice Mayor Walters yielded the gavel back to Mayor Hawker.

- *10. Approving the Simplified Site Plan Modification Guidelines. (Related to Item 9a.)

- *11. Take action on the following subdivision plat:

*11a. "GREENFIELD PLAZA II" **(District 6)** 1750-1950 blocks of South Greenfield Road (east side) located north and east of Baseline Road and Greenfield Road. 9 C-2 commercial lots (18.80 ac.) Lumberjack Capital, LLC, Tim Dollander, owner.

12. Items from citizens present.

Frank Alger, 1009 North April Street, President of the Mesa Veteran's Day Parade Association, provided an update regarding a recent golf tournament that was held to raise funds for this year's Veteran's Day Parade. He stated that the event was well attended and that the Association raised approximately \$4,000. Mr. Alger noted that the organization has a new website, which can be accessed at www.mesaveterans.org. He also expressed disappointment that none of the Councilmembers attended the fundraiser.

13. Adjournment.

Without objection, the Regular Council Meeting adjourned at 6:03 p.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 Regular Council Meeting of the City Council of Mesa, Arizona, held on the 19th day of March 2007. I further certify that the meeting was duly called and held and that a quorum was present.

BARBARA JONES, CITY CLERK

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