



COUNCIL MINUTES

November 1, 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 November 1, 1999 at 5:00 p.m.

COUNCIL PRESENT

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

COUNCIL ABSENT

Dennis Kavanaugh

STAFF PRESENT

C.K. Luster
Don Ayers
Wayne Balmer
Neal Beets
Denise Bleyle
Jamie Brennan
Linda Crocker
Bob DeLeon
Randy Fleischhauer
Jack Friedline
John Geier
Lowell Hamilton
Joe Holmwood
Mike Hutchinson
Barbara Jones
Wayne Korinek
Ron Krosting
Rich Lorig
Tom Mattingly
Keith Nath
Joe Padilla

STAFF PRESENT (CONT.)

Ellen Pence
Bryan Raines
Andrea Rasizer
Tom Remes
Sharon Seekins
Jenny Sheppard
Jan Strauss
Walter Switzer
Doug Tessendorf
Lois Underdah
Bill Way
Mindy White
Paul Wilson
Others

OTHERS PRESENT

Barrett Marson
Robbie Sherwood
Others

Mayor Brown excused Councilmember Kavanaugh from the meeting.

1. Review items on the agenda for the November 1, 1999 Regular Council Meeting.

All of the agenda items were reviewed among the Council and staff, with no formal action taken. There was particular discussion with regard to the following agenda items:

3. Conduct a public hearing on Assessments for Special Improvement District No. 239. This District installed Suburban Ranch Street Improvements along North Brimhall Street from East Lehi to East Nance

Street. CONTINUED FROM THE OCTOBER 6 COUNCIL MEETING. SEE ITEM NO. 7a.

City Attorney Neal Beets commented that the purpose of the hearing is to solicit public input.

5. Consider the following contracts:

f. 1999/2000 Crack Seal Project, Phase 2. City of Mesa Project No. 00-06.1.

Councilmember Hawker 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 because of such conflict of interest, he would refrain from voting upon or otherwise participating in connection with same.

h. Property and liability insurance coverage for the City to be effective from November 22, 1999 through November 21, 2000 as requested by the Risk Management section of the City Attorney's Office.

In response to a question from Vice Mayor Giles relative to bidding liability and property insurance as a whole, Mr. Beets explained the process that has historically been followed in selecting an insurance broker and said that the single bid process has been consistently successful and the contracts have been awarded to the low bidders.

Vice Mayor Giles commented that speakers are scheduled to appear at the Regular Council Meeting to present data in support of their belief that bidding the coverages separately may result in increased benefits at a lower premium cost.

Discussion ensued relative to liability coverage, specialty coverage, inclusion of commissions and staff's recommendation that the bidding process remain unchanged.

6. Introduction of the following ordinances and setting November 15, 1999 as the date of public hearing on these ordinances.

*e. Relating to public safety and sexually oriented businesses: amending Sections 6-1-16, 6-16-1, 6-16-2 and 6-16-15 of the Mesa City Code and providing penalties for the violation thereof.

Mr. Beets advised the Council that two separate draft ordinances have been prepared for consideration, one of which regulates the sale of sexually-oriented materials in vending machines.

Councilmember Hawker indicated that he does not support the option which regulates vending machines and requested that this item be removed from the consent agenda.

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

9. Consider the following cases from the Planning and Zoning Board and possible adoption of the corresponding ordinances:

a. Z99-80 The northeast corner of Val Vista Drive and U.S. 60. Rezone from C-2 to R-4 (3± acres).

Mayor Brown stated that this item will be placed on the consent agenda.

- c. Z99-83 South of the southwest corner of Power Road and Thomas Road. Rezone from R1-90 to R-1-6-PAD (5.7± acres).

Councilmember Davidson indicated his intention to contact the developer to discuss recent modifications to the Residential Development Guidelines to accommodate more living space in the front portion of single-family homes.

In response to a question from Councilmember Davidson, Community Development Manager Wayne Balmer indicated that Phase I includes redesigning the street to allow access to the property and added that the parcel is being enlarged by the addition of a cul-de-sac to the south. Mr. Balmer advised that Phase I will be initiated in the north on a portion of the parcel and construction will continue towards the southern end.

- f. Z99-87 538 South Robson. Rezone from R-4 to M-2 (.3 acre).

Councilmember Davidson questioned the necessity of the proposed shopping cart storage area.

Mr. Balmer explained that the area is currently occupied by a single-family home containing a side wall and said that the applicant is proposing to acquire the land and utilize it for the purpose of storing/repairing shopping carts. Mr. Balmer added that the purpose of the variance is to accommodate the applicant's business and to allow the applicant to legitimately acquire a wall that was illegally built by a previous owner.

In response to Councilmember Davidson's concern relative to the close proximity of this area to the redevelopment district, Mr. Balmer indicated that there are many older single-family homes in the area and said that the current trend is to transform the homes to accommodate various business uses. Mr. Balmer added that the proposed shopping cart business will maintain a desired low profile because of its close proximity to the Boys and Girls' Club.

Councilmember Davidson expressed opposition to this item and requested that it remain off the consent agenda.

Councilmember Jaffa also expressed his opposition to this item.

Councilmember Davidson requested that this item be continued to allow additional time for fact gathering and Council consideration.

- h. Z99-89 The 11200 through 11500 blocks of Elliot Road (south approximately 400'). Establishment of City zoning districts on recently annexed lands (157) acres. Kaufman & Broad, owner; City of Mesa, applicant.

Councilmember Davidson expressed concern relative to this development's close proximity to the General Motors Proving Grounds and Williams Gateway Airport and stated opposition to the applicant's request.

Vice Mayor Giles requested that this item be continued should the applicant not be in attendance to respond to questions from the Council regarding this matter.

- *i. Z99-90 The 6500 and 6600 blocks of East Superstition Springs Boulevard (north side). Site Plan Review (7± acres).

P&Z Recommendation: Approval with conditions (Vote: Passed 6-0).

- 9. Owner granting an Avigation Easement and Release to the City, pertaining to Williams Gateway

Airport which will be prepared and recorded by the City (concurrently with the recordation of the final subdivision map, prior to the issuance of a building permit).

In response to an inquiry from Councilmember Hawker relative to the procedures followed in order to determine aviation easements, Mr. Balmer outlined the three Aircraft Overflight Districts (AOD's) and provided a brief explanation relative to this issue. Mr. Balmer added that the Williams Gateway Airport Board of Directors has approved the AOD's as far as their use, but added that the cities have not agreed on how best to utilize them.

Councilmember Davidson expressed support for the granting of the easement to allow the development of an office complex but stated concern that a precedent is being set and similar requests will be received from owners of other properties in that area.

Mr. Balmer stated that each subdivision located within that influence area will be required to grant an aviation easement and release to the City.

2. Hear an update on the Red Mountain District Park Master Plan.

Parks and Recreation Director Joe Holmwood provided the Council with an update and background information on the Red Mountain District Park Master Plan that was revised in 1998 based on extensive citizen input. Mr. Holmwood commented that the Council has been provided a revised copy of the master plan and said the critical items relate to the addition of a state park, an expansion of the picnic areas and the expansion of baseball fields from one to three.

Mr. Holmwood noted that two of the projects are currently underway and added that the three baseball fields are presently in the design phase with anticipated completion by the Fall of 2000. Mr. Holmwood further noted that the other projects include golf course design and said that it is anticipated that an architect will be selected in 2000 and completion of the golf course project is expected to occur by November 2002.

Mr. Holmwood outlined the projects included in the various phases including the softball fields and picnic areas and noted that the Quality of Life sales tax is the funding source for the proposed projects that will be implemented over the next four years.

In response to a question from Councilmember Hawker, Mr. Holmwood stated that staff is presently coordinating their efforts with ADOT and the Maricopa Flood Control district regarding this project.

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

- a. Crime Prevention Advisory Board Meeting held October 20, 1999.
- b. Utility Committee Meeting held October 25, 1999
- c. Fire Committee Meeting held October 20, 1999
- d. Police Committee Meeting held October 21, 1999
- e. Transportation Committee Meetings held October 19, 1999

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

Mayor Brown declared the motion carried unanimously by those present.

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

Councilmember Hawker discussed his recent tour of an aquatics center in Washington D.C. Councilmember Hawker also commented on his attendance at a Southwest Regional Recycling Committee meeting.

5. Scheduling of meetings and general information.

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

Wednesday, November 10, 1999, 2:00 p.m. – Special Council Meeting

Monday, November 15, 1999, 3:30 p.m. – Utility Committee Meeting

Thursday, November 18, 1999, 7:30 a.m. – Study Session

Thursday, November 18, 1999, Immediately following Study Session – Finance Committee Meeting

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

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

7. Adjournment.

Without objection, the Study Session adjourned at 5:44 p.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 the 1st day of November 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