

COUNCIL MINUTES

July 8, 2025

The City Council of the City of Mesa met in the Council Chambers at City Hall, 20 East Main Street, on July 8, 2025, at 6:08 p.m.

COUNCIL PRESENT

Mark Freeman
Scott Somers
Rich Adams
Jennifer Duff
Julie Spilsbury

COUNCIL ABSENT

Alicia Goforth
Francisco Heredia

OFFICERS PRESENT

Scott Butler
Holly Moseley
Jim Smith

Mayor's Welcome.

Mayor Freeman conducted a roll call.

Mayor Freeman excused Councilmembers Goforth and Heredia from the entire meeting.

Mayor Freeman led a moment of silence followed by the Pledge of Allegiance.

There were no awards, recognitions, or announcements.

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 Councilmember Spilsbury, seconded by Councilmember Duff, that the consent agenda items be approved.

Upon tabulation of votes, it showed:

AYES – Freeman–Somers–Adams–Duff–Spilsbury

NAYS – None

ABSENT– Goforth–Heredia

Mayor Freeman declared the motion carried unanimously by those present.

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

Minutes from the Study Sessions held on April 21, May 8, May 12, May 19, and June 2, 2025, and from the Regular Council Meeting on July 1, 2025.

3. Take action on the following liquor license applications:

*3-a. Quick Corner #1

A convenience store is requesting a new Series 10 Beer & Wine Store License for Quick Corner 2025 LLC, 1107 North Mesa Drive - Feras Hussain Kahla, agent. The existing license held by HNN LLC will revert to the State. **(District 1)**

*3-b. Quick Corner #2

A convenience store is requesting a new Series 10 Beer & Wine Store License for Go and Grab LLC, 66 South Mesa Drive - Deya Abdelkader Awad, agent. The existing license held by Grab and Go Food Mart 2 LLC will revert to the State. **(District 4)**

*3-c. Rochester's Family Dining and Sports bar

A sports bar is requesting a new Series 7 Beer & Wine Bar License for Detailed Hospitality, LLC, 721 South Rochester - Demetrios Peter Liakakos, agent. This is an owner transfer; therefore, the existing license held by CJ's Investments LLC will revert to the State for modification. **(District 2)**

*3-d. Rochester's Family Dining and Sports bar

A sports bar with a restaurant that serves breakfast, lunch, and dinner is requesting a new Series 12 Restaurant License for Detailed Hospitality LLC, 721 South Rochester - Demetrios Peter Liakakos, agent. The existing license held by CJ's Investments LLC will revert to the State. **(District 2)**

*3-e. Chubby Skewers Phoenix

A restaurant that serves lunch and dinner is requesting a new Series 12 Restaurant License for Chubby Skewers Phoenix LLC, 1955 West Guadalupe Road, Suite 105-107 - Wanying Cheng, agent. The existing license held by BBQ House Company will revert to the State. **(District 3)**

*3-f. The Main Street Mart

A convenience store is requesting a new Series 10 Beer & Wine Store License for Dan Mart LLC, 714 East Main Street - Danish William Pervez, agent. The existing license held by The Main Street Mart LLC will revert to the State. **(District 4)**

*3-g. The Salted Knot

A restaurant that serves breakfast and lunch is requesting a new Series 12 Restaurant License for The Salted Knot LLC, 21 West Main Street - Keith Brian Turner, agent. There is no existing license at this location. **(District 4)**

*3-h. Padel Pals

An indoor padel club is requesting a new Series 7 Beer & Wine Bar License for Padel Pals 1 LLC, 4945 South 71st Street, Suite 101 - Jesus Armando Acevedo, agent. There is no existing license at this location. **(District 6)**

4. Take action on the following contracts:

- *4-a. Ellsworth Road South City Limits to Ray Road, Construction Manager At Risk (CMAR), Guaranteed Maximum Price (GMP) No. 1 of 1. **(Districts 6)**

Project improvements include widening Ellsworth Road by adding a third lane in each direction, milling and overlaying the existing pavement, installation of medians, curb and gutter, sidewalk, and streetlights. Benefits will include reduced congestion, safer pedestrian crossings, bicycle lanes, and increased accessibility to local businesses.

Staff recommend awarding a contract to Sundt Construction in the amount of \$27,177,832.52 (GMP), and authorizing a change order allowance in the amount of \$2,717.783 (10%), for a total authorized amount of \$29,895,615.52. This project is funded by 2020 Street bonds and the Transportation Fund.

- *4-b. Signal Butte Park Phase II - Construction Manager at Risk (CMAR), Guaranteed Maximum Price (GMP) No. 2 of 2. **(District 6)**

GMP No. 2 will include a pedestrian bridge constructed over Signal Butte Wash to connect Phase II to Phase I, a restroom building, pathways, landscaping, ramadas, site furnishings, BMX bike tracks, and a parking lot.

Staff recommend awarding a contract to Valley Rain Construction Corporation in the amount of \$5,004,988.14, (GMP No. 2) and authorizing a change order allowance in the amount of \$250,249.41 (5%), for a total authorized amount of \$5,255,237.55. This project is funded by 2018 General Obligation bonds through the Parks and Cultural Bond Program.

- *4-c. Seven-Month Use of a Cooperative Term Contract with Renewal Options for Upfitting Vehicle Equipment and Installation Services for the Fleet Services Department. **(Citywide)**

This contract will provide for the purchase and installation of vehicle equipment and lighting at an established hourly rate for Police Department vehicles. Equipment includes specialized turnkey emergency vehicle equipment (lights, sirens, push-bars, detainee cages, consoles, wiring, etc.) and installation services. This request supplements the existing cooperative contracts for vehicle upfitting.

The Fleet Services Department and Procurement Services recommend authorizing the purchase using the City of Chandler, Strategic Alliance for Volume Expenditures (S.A.V.E.) cooperative contract with Airwave Communications Enterprises, LLC, All Fleet Services, and Waltz Outfitting, LLC at \$2,800,000 annually, with an annual increase allowance of up to 5% or the adjusted Consumer Price Index. This total reflects the combined annual amount for all previously approved cooperative contracts actively utilized by the City for vehicle upfitting.

- *4-d. Three-Year Term Contract with Two-Year Renewal Options for Self-Contained Breathing Apparatus (SCBA) Air Equipment, Parts, Repairs, and Maintenance for the Mesa Fire and Medical Department (MFMD). **(Citywide)**

This contract will provide SCBA parts, supplies and equipment as needed. The current SCBA packs in use by the MFMD are outdated and are no longer compliant with the

most recent National Fire Protection Association standards. These units, which are over 10 years old, present significant challenges both in terms of operational safety and ongoing maintenance. Advancements in SCBA technology over the past decade have resulted in significant improvements in firefighter safety, comfort, carcinogen mitigation, and efficiency. Modern SCBA units offer enhanced thermal protection, better ergonomics, improved air management, and integrated communication capabilities - features that are not available in our current inventory.

A committee representing the MFMD and Procurement Services recommend awarding the contract to the highest scored proposal from L.N. Curtis and Sons at \$4,000,000 for Year 1 and \$500,000, annually thereafter, with an annual increase allowance of up to 5% or the adjusted Consumer Price Index.

5. Take action on the following resolutions:

- *5-a. Approving and authorizing the Mayor to execute the Second Amended and Restated Joint Powers Airport Authority Agreement and the Second Amended and Restated Intergovernmental Agreement to remove the City of Phoenix as a member and to reflect the authority's name change to Mesa Gateway Airport Authority. **(District 6)** – Resolution No. 12398
- *5-b. Approving and authorizing the City Manager to enter into a lease agreement with The A.R.M. of Save the Family Foundation of Arizona, a nonprofit corporation, for City-owned property located at 5135 East Evergreen Street, Unit 1209. **(District 2)** – Resolution No. 12399
- *5-c. See: **Items not on the Consent Agenda**

6. Take action on the following resolutions, relating to the development of The Edge on Main:

- *6-a. Vacating a portion of the public right-of-way in the 0-30 block of South Morris Street, located south of Main Street and north of Mahoney Avenue, to combine with the abutting property for future development. **(District 4)** – Resolution No. 12401
- *6-b. Approving and authorizing the City Manager to enter into a Development Agreement and Public Access Easement Agreement with OZ16 QOZB, LLC for the development of a mixed-use project on real property generally located at the southeast corner of Country Club Drive and Main Street, on both sides of Morris Street. **(District 4)** – Resolution No. 12402

7. Introduction of the following ordinance and setting August 18, 2025 as the date of the public hearing on this ordinance:

- *7-a. ZON24-01052 “Beverly Apartments.” 1.3± acres located at 120 North Beverly, approximately 715 feet north of the northwest corner of West Main Street and North Beverly. Rezone from Multiple Residence-2 (RM-2) and Multiple Residence-3 (RM-3) to Multiple Residence-4 with a Planned Area Development Overlay (RM-4-PAD) and Site Plan Review for a multiple residence development. MESA ARC, owner; Perlman Architects, Tristam Kesti, applicant. **(District 4)** – Ordinance No. 5958

Staff Recommendation: Adoption

P&Z Board Recommendation: Adoption (Vote: 4-0)

8. Discuss, receive public comment, and take action on the following ordinances:

- *8-a. Proposed amendments to Chapters 30, 31, and 87 of Title 11 of the Mesa City Code pertaining to Accessory Dwelling Units, Detached Accessory Buildings or Structures, and Home Occupations. The amendments include, but are not limited to: modifying the gross floor area requirements for Detached Accessory Buildings or Structures; modifying the setback requirements for Accessory Dwelling Units; modifying the specific use and activities standards for Home Occupations; adding the definition of "Building Addition"; modifying the definition of Home Occupations. **(Citywide)** – Ordinance No. 5950

Staff Recommendation: Adoption

P&Z Board Recommendation: Adoption (Vote: 4-0)

- *8-b. ZON24-00548 "SAIA Motor Freight Lines." 13± acres located approximately 2,600 feet west of the southwest corner of East Pecos Road and South Signal Butte Road. Site Plan Review for the development of an approximately 49,914± square foot freight/truck terminal and warehouse. SAIA Motor Freight Line LLC, owner; Cris Burgam, applicant. **(District 6)** – Ordinance No. 5951

Staff Recommendation: Approval with conditions

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

- *8-c. ZON25-00163 "UTV Stereo - Quality Car Audio." 2.1± acres located at 7561 East Baseline Road. Major Site Plan Modification and amending Condition of Approval No. 1 for case Z97-048 to allow for the expansion of an approximately 26,636± square foot minor vehicle service and repair use. Chase Moll, Alpha Enterprise LLC, owner; Steve Nevala, FINN Architects, LLC, applicant. **(District 6)** – Ordinance No. 5952

Staff Recommendation: Approval with conditions

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

- *8-d. See: **Items not on the Consent Agenda**

- *8-e. ANX25-00049 - Annexing 0.013± acres of County right-of-way at the intersection of East Elliot Road and South Hawes Road. **(District 6)** – Ordinance No. 5954

- *8-f. ANX25-00293 - Annexing 1.4± acres of County right-of-way along South Signal Butte and extending approximately 1,246 feet west along the future alignment of East Auto Drive. **(District 6)** – Ordinance No. 5955

- *8-g. ANX25-00449 - Annexing 0.17± acres of County right-of-way for a portion of the intersection of East Elliot Road and South Sossaman Road. **(District 6)** – Ordinance No. 5956

- *8-h. See: **Items not on the Consent Agenda**

9. Take action on the following subdivision plat:

- *9-a. SUB25-00340. "Longbow Business Park & Golf Club Lot 2 Replat." 10.1± acres located approximately 1,180 feet west of the southwest corner of North Recker Road and East Longbow Parkway. Final Plat. Dover Associates LLC, Owner; Gary Stocker, Stocker Consulting, Surveyor. **(District 5)**

Items not on the Consent Agenda

- 5-c. Calling a Special Election to be held on November 4, 2025 for the purpose of submitting to the voters of Mesa Council District Two the question of the recall of the District Two Councilmember; providing for a ballot-by-mail unless otherwise required by Maricopa County; providing the place and the last date for candidates to file nomination papers; providing the deadline for voter registration; setting forth the voter rights act requirements; approving the use of City funds for the payment of election costs; and otherwise providing for the manner in which the election is to be conducted. – Resolution No. 12400

City Attorney Jim Smith advised that by state statute, the City is not allowed to use City resources to influence the outcome of an election. He reviewed the definition of influencing the outcome of an election and provided guidelines for citizens addressing the recall.

The following residents spoke in support of a Special Election for the recall of the District Two Councilmember:

- Scott Grainger, a Mesa resident
- Bob Hathcock, a Mesa resident
- Robert B. Taylor, a Mesa resident
- Mark Kimball, a Mesa resident
- Mary Maybeno, a Mesa resident

The following residents spoke in opposition to a Special Election for the recall of the District Two Councilmember:

- Brian Dille, a Mesa resident
- Jeremy Spilsbury, a Mesa resident
- Alayne Favreau, a Mesa resident
- Nycole Leyba, a Mesa resident
- Ron Williams, a Mesa resident
- Candace Hutchinson, a Mesa resident

David Lane, a Mesa resident, expressed his concern regarding the reason for the recall and the cost to the City.

Will Stas, a Mesa resident, encouraged the City to take action and enforce compliance with political sign regulations.

The following citizens submitted blue cards in opposition to a Special Election for the recall of the District Two Councilmember, and did not wish to speak:

- Jayne McRae, unknown address
- Amy King, unknown address
- Robin Applegate, unknown address
- Rebecca Temp, unknown address
- Candice Bairn, a Mesa resident

The following citizens submitted blue cards in support of a Special Election for the recall of the District Two Councilmember, and did not wish to speak:

- Charmon Puhlmann, a Mesa resident
- James M. Dodson, a Mesa resident
- Melody Whetstone, a Mesa resident
- Lynda Patrick Hayes, a Mesa resident
- Gary Blazina, a Mesa resident
- Denise Blazina, a Mesa resident
- Sam, unknown last name and address
- Emma, unknown last name and address

Councilmember Spilsbury expressed her disagreement with the premise on which the recall was initiated; however, according to State Statute and as her duty as a Councilmember, she is required to vote to call for a Special Election. She commented that her constituents have trusted her enough to elect her twice, each time by wide margins, and she is grateful for their continued support. She pointed out that a special interest group has now launched a recall against her, but this is not the result of any misconduct or malfeasance. She indicated the Council are elected as nonpartisan councilmembers to serve all citizens who reside in the City of Mesa, and do not serve a party.

Councilmember Duff expressed discomfort with approving the call for a Special Election and with spending taxpayer funds without sufficient justification. She stated the partisan political issues are outside the purview of city government, a nonpartisan institution, and emphasized that Mesa is neither conservative nor liberal. She added that the City's diversity in thought, culture, and ideas contributes to its strength.

Responding to a request for clarification from Councilmember Adams, Mr. Smith explained the recall voting options according to Arizona Revised Statute (A.R.S.) §19-209. He advised that the legislative body is required to call for the election once the preconditions have been met, referring to having a minimum number of signatures qualified.

Councilmember Adams stated that he does not support the recall, believing that the recall does not serve Mesa's community or priorities. He acknowledged that Arizona law allows citizens the right to recall elected officials; however, noted that approximately 20% of petition signatures came from paid circulators and 40% from volunteers outside of Mesa, which he felt was disingenuous. He said none of the cited reasons were violations of Councilmember Spilsbury's oath and believes Councilmember Spilsbury is being targeted for breaking political ranks. He said he admires Councilmember Spilsbury's courage, and expressed concern over the \$200,000 election costs that the City will have to cover.

It was moved by Vice Mayor Somers, seconded by Councilmember Adams, that Resolution No. 12400 be adopted.

Upon tabulation of votes, it showed:

AYES – Freeman–Somers–Adams–Duff–Spilsbury

NAYS – None

ABSENT– Goforth–Heredia

Mayor Freeman declared the motion carried unanimously by those present.

- 8-d. ZON25-00208 "Medina Station." 61± acres located at the southeast corner of East Southern Avenue and South Signal Butte Road. Major Site Plan Modification and amending Condition of Approval No. 1 for case ZON23-00691 to allow for a mixed-use development. SimonCRE Buddy, LLC; Target Corporation; Bela Flor Holdings, LLC,

owner; Eric Hurley, SimonCRE Buddy, LLC, applicant. **(District 5)** – Ordinance No. 5953

Staff Recommendation: Approval with conditions

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

Charmon Puhlmann, a Mesa resident, expressed concern for the growth in Mesa and cautioned against overbuilding and the continued development of data centers.

It was moved by Councilmember Spilsbury, seconded by Vice Mayor Somers, that Ordinance No. 5953 be adopted.

Upon tabulation of votes, it showed:

AYES – Freeman–Somers–Adams–Duff–Spilsbury

NAYS – None

ABSENT– Goforth–Heredia

Mayor Freeman declared the motion carried unanimously by those present.

8-h. Proposed amendments to Chapters 6, 7, 22, 31, 32, and 86 of Title 11 of the Mesa City Code pertaining to Data Centers and Planned Area Development Overlay Districts. The amendments include, but are not limited to: adding a definition for Data Center; modifying land use tables to add Data Center; establishing development and other standards specific to Data Centers; adding a minimum parking requirement for Data Centers; amending the purpose, land use regulations, and development standards related to the Planned Area Development (PAD) Overlay District to, among other things, allow land uses to be permitted through approval of PAD Overlay Districts; modifying the definition of Indoor Warehousing And Storage. **(Citywide)** – Ordinance No. 5957

Staff Recommendation: Adoption

P&Z Board Recommendation: Adoption (Vote: 6-1)

Mary Maybeno, a Mesa resident, voiced her opposition to data centers, citing their high water and electricity usage, contributing to water shortage problems and impacting the quality of life. She pointed out that, in addition, data centers create noise, heat, and employ fewer employees than other businesses.

Tom Maples, unknown address, requested improvements and adjustments to the text amendments for data center issues.

Planning Director Mary Kopaskie-Brown reported that the regulations aim to minimize both aesthetic impacts and effects on sensitive receptors, such as residential areas, as new data centers are developed in Mesa.

Discussion ensued on accessory uses for data centers, industry changes over the years, welcoming data centers with added zoning restrictions, creating high-wage/high-quality jobs, and strategies for recruiting data center locations.

It was moved by Vice Mayor Somers, seconded by Councilmember Duff, that Ordinance No. 5957 be adopted.

Upon tabulation of votes, it showed:

AYES – Freeman–Somers–Adams–Duff–Spilsbury

NAYS – None

ABSENT– Goforth–Heredia

Mayor Freeman declared the motion carried unanimously by those present.

10. Items from citizens present.

Dennis Liles, a Mesa resident, expressed his opposition to the 287(g) Cooperation Agreement with Immigration and Customs Enforcement (ICE).

William and Gwen McKane, Mesa residents, shared their concerns about their next-door neighbor's home being converted from four bedrooms to ten, and the disruption that is occurring.

Jared Heger, a Mesa resident, discussed his support for the 287(g) Cooperation Agreement with ICE, and noted the lack of due process for individuals.

City Clerk Holly Moseley announced that the following citizens submitted a comment card in opposition to the 287(g) Cooperation Agreement, but did not wish to speak:

- Lori Thompson-Tutu, unknown address
- Bob Pamplin, a Mesa resident
- Michael Stanley, a Mesa resident
- Carol Payne, a Mesa resident
- Kamran McFrad, a Mesa resident
- Tony Mackelprang, a Mesa resident
- Jalen Woodward, unknown address

Ms. Moseley announced that the following citizens submitted a comment card in support of the 287(g) Cooperation Agreement, but did not wish to speak:

- Walter von Kampen, a Mesa resident
- Antonnette L. Andruzzi, unknown address
- Jillian Ryan, unknown address
- Sam, unknown last name and address
- Emma, unknown last name and address
- Tim Meyer, unknown address
- Richard M. Everhart, a Mesa resident
- Jeff Franklin, a Mesa resident
- Ginger von Kampen, a Mesa resident
- Mary Maybeno, a Mesa resident
- Sherry Walton, a Mesa resident
- Melody Whetstone, a Mesa resident
- Alex Vranicic, a Mesa resident
- Senator David Farnsworth, a Mesa resident
- JoAnne Robbins, a Mesa resident

Ms. Moseley announced that the following citizen submitted a comment card regarding Cadence Community Facilities District (CFD's), but did not wish to speak:

- David Winstanley, a Mesa resident

Ms. Moseley announced that the following citizen submitted a comment card in support of removing the Martin Luther King (MLK) signs, but did not wish to speak:

- Barbara Blewster, a Mesa resident

11. Adjournment.

Without objection, the Regular Council Meeting adjourned at 7:40 p.m.

MARK FREEMAN, MAYOR

ATTEST:

HOLLY MOSELEY, 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 8th day of July 2025. I further certify that the meeting was duly called and held and that a quorum was present.

HOLLY MOSELEY, CITY CLERK

lr