

# COUNCIL MINUTES

March 5, 1998

The City Council of the City of Mesa met in a Policy Session in the lower level conference room of the Council Chambers, 57 East 1st Street, on March 5, 1998 at 4:07 p.m.

## COUNCIL PRESENT

Mayor Wayne Brown  
Pat Gilbert  
John Giles  
Dennis Kavanaugh  
Joan Payne  
Wayne Pomeroy  
Claudia Walters

## COUNCIL ABSENT

None

## STAFF PRESENT

C.K. Luster  
Wayne Balmer  
Cindy Barris  
Neal Beets  
Denise Bleyle  
Jack Friedline  
Mike Hutchinson  
Lars Jarvie  
Barbara Jones  
Harry Kent  
Peter Knudson  
Ron Krosting  
Dorinda Larsen  
Greg Marek  
Jeff Martin  
Tom Mattingly

## STAFF PRESENT (CONT.)

Keith Nath  
Ellen Pence  
Bryan Raines  
Andrea Rasizer  
Tom Remes  
Becky Richardson  
Jenny Sheppard  
David Spaur  
Jeff Welker  
Mindy White  
Paul Wilson

## OTHERS PRESENT

Bev Hart  
Others

### 1. Further discussion and consideration concerning the Southeast Mesa Area Storm Drain Master Plan.

Engineering Design Director Peter Knudson advised that for approximately the past 18 months the City has been working with various agencies to develop a master drainage plan for the southeast Mesa area. Mr. Knudson displayed a map of the drainage area and advised that the plan incorporates existing drainage facilities and proposes new facilities. Mr. Knudson stated that it is the recommendation of staff that Council adopt the master plan.

Mr. Knudson responded to questions from Council pertaining to existing/proposed channels, new development within the area, and anticipated funding. City Manager Charles Luster indicated that should Council approve the master plan, funding requests will be presented as needed. Mr. Luster noted that the Flood Control District generally requests 50 percent local matching funds but that the City is pursuing additional funding sources, such as the Arizona Department of Transportation (ADOT).

It was moved by Councilmember Pomeroy, seconded by Councilmember Kavanaugh, that the Southeast Mesa Area Storm Drain Master Plan be adopted as recommended by staff.

Carried unanimously.

2. Further discussion and consideration concerning development fees.

Mayor Brown advised that meetings have been held recently with representatives from the development community and major employers to review recommendations proposed (with the assistance of a consultant) relative to development fees and taxes. Mayor Brown noted concern regarding the impact of such fees on Mesa's ability to attract office/commercial/industrial activities and the subsequent effect on the City's General Plan.

Assistant to the City Manager Bryan Raines stated that following public input throughout the past year, a final draft of the development fee and tax proposal was released in November 1997, which included the following recommendations: a) retain water and wastewater development fees but restructure current fees to more accurately reflect water meter flows and the impact of all types of dwelling units; b) replace the current residential development tax with a series of individual development fees for residential development (to be utilized for capital construction of parks and recreation facilities, library facilities, and cultural facilities) based on each dwelling unit equivalency with a detached, single-family dwelling unit; and c) establish development fees for both residential and nonresidential segments to pay for capital construction and equipment-related costs associated with expanding police and fire public safety services and for Mesa's arterial street system.

Mr. Raines reported that participants in a recent series of meetings have expressed concern regarding the level of fees proposed, particularly in relation to assessments for arterial street improvements. Mr. Raines said that as a result of such input, it is recommended that the City initially approve the fees for water, wastewater, police, fire, parks, cultural and library facilities, and capital equipment but that the fees for arterial streets not be implemented at this time and instead reviewed over the next year to determine an appropriate fee schedule. Mr. Raines stated that it is additionally suggested that all development fees be reviewed on a periodic basis.

Mr. Raines presented data comparing residential, retail, industrial, and office impact fees for Mesa and surrounding communities.

Mr. Raines and Economic Development Manager Dave Spaur responded to questions from Council pertaining to the potential effect of impact fees on recruitment efforts, financing mechanisms utilized by surrounding communities and states, development fees versus property taxes, fee assessments for arterial streets, and the City's current exaction process. Mr. Raines outlined the process and time frame for implementing development fees if approved by Council.

It was moved by Councilmember Giles, seconded by Councilmember Walters, to proceed with the development fee process as recommended by staff.

Upon a tabulation of votes, it showed:

AYES - Brown-Gilbert-Giles-Kavanaugh-Pomeroy-Walters  
NAYS - Payne

Mayor Brown declared the motion carried by majority vote.

Mr. Raines said that a Notice of Intent will be included on the agenda for the next Regular Council Meeting.

3. Discuss and consider procedures for Council Policy and Study Sessions.

Assistant to the City Manager Ellen Pence advised that beginning May 1, 1998, Policy and Study Sessions will be held in the upper level of the Council Chambers to allow televising of the meetings. Ms. Pence stated that seating options are being considered to accommodate presentations to Council (speakers must currently stand) and joint meetings with advisory boards (in order to improve interaction). Ms. Pence added that additional refinement is underway relative to camera angles and video displays.

Discussion ensued concerning "Items from citizens present" and "Prescheduled public appearances" as agenda items. Mayor Brown suggested that consideration be given to reducing the number of speakers and/or the time allotted to each speaker and alternatively providing an opportunity for public input, at the discretion of the Chairman, relative to items for discussion.

Vice Mayor Gilbert and Councilmember Giles spoke in favor of administration by the meeting Chairman to prevent the misuse of agenda items.

Following additional brief comments from Council, Mayor Brown recommended that the number of speakers be limited to two for "Items from citizens present" and two for "Prescheduled public appearances" and that each speaker be limited to three minutes.

Councilmember Kavanaugh concurred with the Mayor's proposal to revise the time limit and suggested that consideration be given to restoring these items to the agenda for the Regular Council Meeting.

Councilmember Walters recommended that when televising commences, the Mayor initially explain the purpose of Policy and Study Sessions for the benefit of individuals in the viewing audience.

4. Discuss and consider modification of that portion of the City Code dealing with private hauler permit fees.

Solid Waste and Facilities Director Jack Friedline outlined a proposal to modify Section 8-3-14(C) of the Mesa City Code and increase the private hauler permit annual application fee from \$20 to \$1,000 effective May 1, 1998. Mr. Friedline stated that staff currently responds to customer complaints involving issues such as private collection vehicles operating in residential areas prior to 6 a.m. and unsanitary conditions (overflowing garbage bins) in commercial areas. Mr. Friedline advised that the application fee increase is recommended in an attempt to recover costs, currently estimated at \$13,000 per year.

Mr. Friedline noted that as an alternative, the application fee could be increased to \$200 and a \$200-per-truck fee imposed, instead of a flat fee per company. Mr. Friedline indicated that this formula would result in approximately the same net dollar amount.

It was moved by Councilmember Kavanaugh, seconded by Councilmember Giles, that the alternative formula be approved, whereby the application fee would be increased to \$200 and a \$200-per-truck fee would be imposed.

Mayor Brown expressed the opinion that a fee per truck is more equitable but said that the total cost may be excessive.

Vice Mayor Gilbert commented that a comparison with Valley communities indicates that the City has been undercharging for this service. Vice Mayor Gilbert spoke in favor of recovering costs and noted support for the motion.

Upon a tabulation of votes, it showed:

AYES - Gilbert-Giles-Kavanaugh-Pomeroy-Walters

NAYS - Brown-Payne

Mayor Brown declared the motion carried by majority vote.

City Manager Charles Luster stated that staff will prepare an ordinance incorporating the Code amendment.

5. Consider providing uplighting for trees in the Main Street streetscape project.

Mayor Brown, Vice Mayor Gilbert, and Councilmember Pomeroy indicated that they had a potential conflict of interest in connection with the matter now under discussion which they wanted recorded in the minutes of the meeting, and because of such conflict of interest, they would refrain from voting upon or otherwise participating in any manner in connection with same.

Mayor Brown yielded the gavel to Councilmember Giles for discussion and action on this item.

Community Development Manager Wayne Balmer said that direction is requested from Council relative to the uplighting of trees within the Main Street streetscape project. Mr. Balmer presented two options for consideration: Option 1) upright palm trees within the signalized intersections and mid-block crossings over the Level A streetscape portion of the project (Level A extends from Country Club Drive to the east side of Centennial Way) and Option 2) upright all trees along Main Street.

In response to a request from Councilmember Walters, Mr. Balmer outlined the proposed design/bidding/construction process, noting that commencement of the project is anticipated for June 1998, with completion of the initial phase expected by Christmas. Mr. Balmer commented that Council's decision concerning uplighting may impact the time frame involved in the design process.

Councilmember Kavanaugh indicated support for the uplighting provided the bid schedule can proceed as planned.

Councilmember Kavanaugh questioned the proposed phasing of the project. Mr. Luster noted concerns relative to disruption during the holiday season and stated that phasing of the project will be presented for further discussion at an upcoming Study Session.

In response to a question from Councilmember Giles, City Attorney Neal Beets stated that a unanimous vote is needed to approve the proposal.

Discussion ensued concerning the aesthetic effect of the uplighting, and installation and maintenance costs.

It was moved by Councilmember Kavanaugh, seconded by Councilmember Walters, that Option 1 be approved.

Upon a tabulation of votes, it showed:

AYES - Giles-Kavanaugh-Walters  
NAYS - Payne  
ABSTAIN - Brown-Gilbert-Pomeroy

Councilmember Giles declared the motion failed and stated that no action will be taken on this item.

6. Scheduling of meetings and general information.

There was no discussion of this item at this time.

7. Adjournment.

It was moved by Councilmember Kavanaugh, seconded by Councilmember Walters, that the Policy Session adjourn at 5:27 p.m.

Carried unanimously.

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WAYNE BROWN, MAYOR

ATTEST:

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BARBARA JONES, CITY CLERK

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Policy Session of the City Council of Mesa, Arizona, held on the 5th day of March 1998. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this \_\_\_\_ day of \_\_\_\_\_ 1998

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BARBARA JONES, CITY CLERK