

COUNCIL MINUTES

March 2, 1998

The City Council of the City of Mesa met in a Study Session in the upper level meeting room of the Council Chambers, 57 East 1st Street, on March 2, 1998 at 4:45 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
Pauline Backer
Wayne Balmer
Neal Beets
Denise Bleyle
Jerry Brouwer
Dennis Compton
Mark Coon
Linda Crocker
John Geier
John Gendron
Bill Haney
Joe Holmwood
Mike Hutchinson
Lars Jarvie
Barbara Jones
Harry Kent
Wayne Korinek
Ron Krosting
Dorinda Larsen
Larry Lines
Rich Lorig
Ellen Pence

STAFF PRESENT (CONT.)

Darryl Pichoff
Bryan Raines
Andrea Rasizer
Tom Remes
Becky Richardson
Jenny Sheppard
Sharon Seekins
John Smoyer
Doug Tessendorf
Mindy White
Paul Wilson
Others

OTHERS PRESENT

Bob Grossfeld
Bev Hart
Keno Hawker
David Plumb
Vern Payne
Mark Hughes
Robbie Sherwood
Christa Severns
Others

1. Familiarization with new Council Chambers and equipment.

Assistant to the City Manager Bryan Raines familiarized the Council with the new equipment that has been installed in the Council Chambers.

2. Review items on the agenda for the March 2, 1998 Regular Council meeting.

All of the items on the agenda were reviewed by Council and staff with no formal action taken. There was specific discussion relative to the following agenda items:

5. Introduction of the following ordinances and setting March 16, 1998 as the date for the public hearing on these ordinances:

- a. Code Amendment: Pertaining to the Zoning Ordinance and the building regulations of the Mesa City Code, amending Title 11, Chapter 13, Section 2 regarding swimming pool enclosures; and adopting a new Chapter 7 of Title 4. (Two Options.)

Community Development Director Wayne Balmer informed the Council that two options have been proposed by staff: Option A which would allow automatic door closures as a fencing alternative and Option B, which would not. Mr. Balmer advised that Planning and Zoning Board has recommend Option A and discussed staff's recommendation that only one ordinance be introduced.

Councilmember Giles informed the Council that he has used self latching hinges in the past and reported that the latches eventually become ineffective. Councilmember Giles stated that the current swimming pool fencing ordinance is strictly a 'secondary barrier ordinance' and added that the ordinance's current interpretation allows screen doors on sliding glass doors to serve as secondary barrier fencing. Councilmember Giles commented that the current ordinance is significantly less restrictive than originally anticipated and expressed the opinion that the secondary barrier component of the ordinance should not be eliminated. Councilmember Giles stressed the importance of maintaining an additional access deterrent to the pool area.

Councilmember Giles expressed the opinion that should the Council determine that the self latching component be included in the fencing ordinance, pool owners should be given the opportunity to choose between either the primary door or the secondary barrier. Councilmember Giles added that this would provide relief to pool owners who have purchased an expensive screen door to comply with the secondary barrier requirement by allowing them to place the self-latching hinges on an interior door.

Councilmember Giles advised that he would support the ordinance as it is currently being interpreted as long as the self-latching hinge option is also required.

Mr. Balmer clarified that Councilmember Giles supports Option B and is opposed to allowing self-closing doors to serve as the primary barrier.

In response to a request from Mr. Balmer, Zoning Administrator John Gendron discussed staff's intention to simplify the ordinance and bring it into line with swimming pool fencing regulations in effect in surrounding cities and towns. Mr. Gendron stated the opinion that pool owners who utilize self closing mechanisms are more likely to be diligent in maintaining the latches. Mr. Gendron reported that he contacted all of the other cities throughout Maricopa County relative to this issue and based on their input staff supports Option A.

Discussion ensued relative to the fact that the Fire Department supports Option A and pool fencing requirements in other cities and towns.

Vice Mayor Gilbert expressed the opinion that a certain amount of maintenance will be required regardless of whether pool owners utilize gates or self-latching mechanisms. Vice Mayor Gilbert indicated that he supports Option A and stated the opinion that this option represents a reasonable pool safety alternative.

Mayor Brown commented that both options will be discussed at the Regular Council Meeting.

3. Consider the appointment of a Utilities Manager to replace Ralph Wisz who has retired.

City Manager Charles Luster advised that with the consent of the Council, he recommends the appointment of David Plumb as Utilities Manager to fill the position vacated by Ralph Wisz. Mr. Luster stated that Mr. Plumb will oversee the City's expanded Utilities Department, which includes water, wastewater, gas and electric services.

Assistant City Manager Mike Hutchinson introduced Mr. Plumb to the Council.

Mr. Plumb expressed appreciation to the Council for the opportunity to serve in the position of Utilities Manager for the City of Mesa and stated that he looks forward to working with the Council in the future.

It was moved by Vice Mayor Gilbert, seconded by Councilmember Kavanaugh, that the appointment of David Plumb to the position of Utilities Manager for the City of Mesa, be approved.

Carried unanimously.

Mayor Brown congratulated Mr. Plumb on his appointment and welcomed him to the City of Mesa.

4. Acknowledge receipt of minutes of meetings of various boards and committees.

- a. Traffic Safety Committee meeting held February 24, 1998.

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

Carried unanimously.

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

Mayor Brown advised that there were no reports on meetings and/or conferences attended.

6. Scheduling of meetings and general information.

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

Thursday, March 5, 1998, 4:00 p.m. - Policy Session

Friday, March 6, 1998, 7:30 a.m. - Study Session

7. Prescheduled public opinion appearances (maximum of three speakers for five minutes per speaker).

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

8. Adjournment.

Without objection, the Study Session adjourned at 5:16 p.m.

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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 2nd 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

BARBARA JONES, CITY CLERK