

# COUNCIL MINUTES

January 5, 1996

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 January 5, 1996 at 7:34 A.M.

## COUNCIL PRESENT

Mayor Willie Wong  
Jerry Boyd  
Pat Gilbert  
T. Farrell Jensen  
Dale Johnson  
Jim Stapley

## COUNCIL ABSENT

Joan Payne

## STAFF PRESENT

C.K. Luster  
Wayne Balmer  
Neal Beets  
Fred Conway  
Mark Coon  
Linda Crocker  
Mike Hutchinson  
Barbara Jones  
Harry Kent  
Wayne Korinek  
Ron Krosting  
Larry Lines  
Rich Lorig  
Jeff Martin  
Frank Mizner  
Ruth Anne Norris  
John Oliver  
Ellen Pence  
Don Phofl  
Bryan Raines  
Kathleen Savagian  
Sharon Seekins  
Mindy White  
Others

## OTHERS PRESENT

Teresa Brice-Heames  
Wayne Brown  
John Smith  
Others

Mayor Wong excused Councilmember Payne from the meeting.

### 1. Consider a Communications Site Leasing Policy.

General Services Manager Rich Lorig and Communications Director Don Phofl discussed a proposal for the rental of City communications facilities. Mr. Lorig explained that the purpose of the proposal is to achieve uniformity and recoup costs for the City of Mesa. Mr. Lorig added that staff is recommending that the City rent portions of its communications facilities, including

ground and/or tower space, where adequate space exists and where interference to Mesa's present and future systems will not occur.

Mr. Phofl provided the Council with background information relative to this issue and advised that currently three leases exist between the City of Mesa and cellular companies involving the sharing of communications sites. Mr. Phofl added that a new commercial wireless system (PCS) is pending and will require additional cellular-type sites and towers.

Discussion ensued relative to the fact that Mesa is presently responding to seven PCS and cellular carrier requests for sharing six additional Mesa communications sites, estimates that there will eventually be five or six PCS companies serving the Mesa-Phoenix metropolitan areas, the fact that draft leases are being reviewed by the Real Estate Services Department, the condition that capacity must exist in order to receive approval, and efforts underway to develop guidelines relative to this issue.

In response to a question from Mayor Wong, Mr. Phofl advised that all of the sites would be located on City property.

Mr. Phofl stated that the leases would cover four five-year terms for a total of twenty years and discussed the substantial investment involved in purchasing the required equipment. Mr. Phofl estimated that the leases, over a twenty year period of time, would generate approximately \$1.5 million for the City of Mesa.

Discussion ensued relative to tower construction, scheduling, antennas, and the importance of recuperating City costs.

It was moved by Councilmember Gilbert, seconded by Vice Mayor Jensen, that the Communications Site Leasing policy, recommended by staff, be approved.

Mayor Wong declared the motion carried unanimously by those present.

2. Discuss and consider changes to the licensing and regulatory procedures for Bathhouses, Massage Parlors and Therapy Centers.

City Manager Charles Luster advised that the purpose of this agenda item is to solicit Council input and direction. Mr. Luster discussed staff's recommendation that the Council refer this item to the Police Committee for consideration and added that public hearings to gain citizen input could be held prior to the finalization of a policy.

Tax and Licensing Administrator Larry Lines and Police Captain G.T. Fowler addressed the Council relative to this issue.

Mr. Lines stated that staff is proposing that educational requirements be added as a condition of licensing and discussed recommended fee increases for massage therapist licenses. Mr. Lines added that staff is also recommending that every establishment and therapist, including trainees, be licensed. Mr. Lines noted that an application fee of \$50.00 is also being proposed for consideration.

Discussion ensued relative to the fact that the State does not regulate the massage therapist industry, unsuccessful efforts by the industry to achieve State regulation, the fact that the City of Mesa's current licensing provisions are not as stringent as other Valley cities, and the increase in applications for massage therapy licenses.

Mr. Lines advised that massage therapy licenses are issued upon authorization by the Police Chief and discussed the Police Department's recommendation that the City of Mesa revise the current requirements for obtaining a license to duplicate regulations in effect within other cities. Mr. Lines discussed the proposed addition of an education requirement and increases in fee structures. Captain Fowler added that the education or training received should be completed at a certified school that issues a diploma or certificate for a course which may require several hundred hours of training.

Mr. Lines briefly discussed the regulatory requirements of surrounding cities and advised that the industry has requested that the words 'Parlor' and 'Bathhouses' be removed from the Code.

Councilmember Stapley noted that barber shops and beauty salons are not included in the list of exclusions with respect to the location of the premises.

In response to a question from Vice Mayor Jensen, Captain Fowler advised that the Police Department's major concern is enforcement and stated the opinion that stronger regulations would assist the Department in performing its responsibilities.

It was moved by Vice Mayor Jensen, seconded by Councilmember Boyd that the proposed changes to the licensing and regulatory procedures for Bathhouses, Massage Parlors and Therapy Centers be considered by the Police Committee for a recommendation to the Council.

Mayor Wong declared the motion carried unanimously by those present.

3. Discuss and consider a proposal from Housing for Mesa for an investment in a Neighborhood Revitalization project.

Community Development Manager Wayne Balmer introduced Teresa Brice-Heames, Executive Director, and John Smith, President, of Housing for Mesa to the members of the Council. Mr. Balmer advised that in November 1995 a letter was received from Ms. Brice-Heames and Mr. Smith relative to the revitalization of some of the older neighborhoods in Mesa. Mr. Balmer discussed the large volume of construction that is currently occurring in the Washington Park area and reported that seven homes are being built by Housing for Mesa and two by Habitat for Humanity.

Mr. Balmer informed the Council that 34 of the accumulated lots in Washington Park have been sold and added that the lot sales were crucial to the redevelopment of the area. Mr. Balmer stated that Housing for Mesa has expressed an interest in initiating a similar program on the South side area but noted that the City of Mesa does not own any lots in that location. Mr. Balmer said that the South side area has consistently remained a stable neighborhood with minor residential turnover. Mr. Balmer discussed Housing for Mesa's proposal which requests that the City allocate funding to acquire properties on the South side and added that they have targeted the revenue generated from the sale of the lots as a source of

funding. Mr. Balmer stated that staff supports the program but stressed the importance of not limiting the City's land purchases to the South side neighborhood. Mr. Balmer added that rather than being limited to the revenue generated by the sale of the existing lots, staff recommends that the Council allocate a specific dollar amount annually, in addition to the lot sales proceeds, to ensure that an adequate standing fund pool exists with which to purchase key properties.

Ms. Brice-Heames commended the Council for their efforts in the Washington Park area and added that Habitat for Humanity has also been involved in neighborhood revitalization projects within that area. Ms. Brice-Heames stated the opinion that the successful program should be expanded in a suitable, controlled area.

Discussion ensued relative to lot costs, Housing for Mesa's intention to purchase the lots from the City at a future date subject to funding availability and to construct homes for sale to lower income families, lot inventory and sales in the Washington Park area, and the importance of encouraging new housing in older areas.

Councilmember Boyd stressed the importance of initiating strong construction efforts in the South Broadway area and noted that the development would serve as a message to residents that the City will assist in their community revitalization endeavors. Councilmember Boyd concurred that lot availability is crucial to the success of such programs.

In response to a question from Mayor Wong, Mr. Smith advised that the Board of Directors of Housing for Mesa supports the proposed concept.

Vice Mayor Jensen indicated his support for the proposal and recommended that a five-year plan be developed relative to this type of development.

It was moved by Councilmember Boyd, seconded by Councilmember Stapley, that the proposed lot purchase/land banking concept developed by Housing for Mesa, be approved subject to the following staff recommendations: (1) that the City's land purchases not be limited exclusively to the South side neighborhood; and (2) that a specific dollar amount be allocated on an annual basis, in addition to the proceeds from lot sales, to ensure that an adequate funding pool exists with which to purchase three or four key properties annually.

Mayor Wong declared the motion carried unanimously by those present.

Mayor Wong expressed appreciation to Ms. Brice-Heames and Mr. Smith for their continuing efforts.

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

Mayor Wong advised that there were no meetings and/or conferences attended.

5. Scheduling of meetings and general information

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

Monday, January 8, 1996 - 5:30 p.m. - Regular Council Meeting

Wednesday, January 10, 1996 - Council tour of Voit Companies/California

Friday, January 12, 1996, 7:30 a.m. - Council Study Session

Tuesday, January 16, 1996, 7:30 a.m. - Police Committee Meeting

Mr. Luster advised that the 1995 Annual Report has been completed and commended Executive Assistant Ellen Pence and staff on their efforts.

6. Review of items on the agenda of the January 8, 1996 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:

5. Consider the following contracts:

- \*f. 32 light duty trucks (12 new, 20 replacements), 6 vans (5 new, 1 replacement), 3 utility vehicles (2 new, 1 replacement), and 34 administrative sedans (15 new, 19 replacements) for various City departments.
- \*i. Remodel of Mesa City Plaza Building - Phase III (first, fifth, and sixth floors).

Senior Management Assistant Bryan Raines provided the Council with a brief overview of the project's construction phases.

In response to a question from Councilmember Gilbert, Assistant Police Chief Fred Conway advised that the proposed four-wheel drive vehicles are required for patrolling areas where police sedans are unable to travel.

6. Introduction of the following ordinances and setting January 22, 1996 as the date for the public hearing on these ordinances.

- d. **Z95-109** The southeast corner of Baseline road and Signal Butte Road. Rezone from AG to R1-6-DMP (Conceptual R-2, O-S and C-2) (841+/- acres). This case involves the development of a retirement community with 3000+/- dwelling units. Farnsworth Development, owner; Craig Ahlstrom, applicant. **(TWO OPTIONAL ORDINANCES.)**

Community Development Manager Wayne Balmer discussed staff's intent to introduce one ordinance rather than two at the January 8, 1996 Regular Council Meeting. Mr. Balmer stated that extensive discussion has occurred regarding the extension of Guadalupe Road and added

that staff and the applicant have agreed upon specific language relative to the fact that Guadalupe will extend from Signal Butte to Meridian where it will temporarily terminate until development of State land to the east allows it to extend to Ironwood. Mr. Balmer advised that the language agreement negates the need to introduce two optional ordinances.

Discussion ensued relative to the proposed extension, planned right-of-way, project size, estimated project time frames, the fact that the applicant concurs with the proposal, project amenities, notification to potential buyers of the fact that the development is located in an overflight area, and future development activities.

In response to a question from City Manager Charles Luster, Mr. Balmer stated the opinion that the case does not necessitate an additional review by the Planning and Zoning Board.

\*6.1 Approve a special lien agreement pertaining to scalloped street assessments at McKellips and Lindsay Road.

City Manager Charles Luster provided the Council with a brief overview of the proposed special lien agreement.

8. Consider the following appeal of a Board of Adjustment decision:

- a. **BA95-64** 554 West Main Street. Requesting variances to allow: 1) a reduction in the future width right-of-way requirements for Main Street; 2) a reduction in the required height of a screening device adjacent to a public street; 3) a reduction in the required width of landscape areas adjacent to the street, side, and the rear property lines; and 4) to permit a detached sign to exceed the maximum permitted height, all in conjunction with the development of an automobile sales lot in a C-3 district.

In response to a request from Mayor Wong, Community Development Manager Wayne Balmer provided the Council with a brief overview of this case and stated that he anticipates that the applicant and the protestor will be present at the January 8, 1996 Regular Council Meeting to present their views.

9. Consider an appeal to the decision of the Downtown Development Committee:

- a. **ZA94-123TC** 48 North Robson. Requesting a modification to an approved Special Use Permit and variance to reduce on-site parking in conjunction with the renovation and occupancy of the subject property.

Mr. Balmer briefly discussed the specifics of the case and commented on concerns expressed by residents of The View apartments and an adjacent owner of property located to the west of the site currently under discussion. Mr. Balmer said that Paul Gilbert, the attorney for the applicant, may submit additional information for consideration and added that the materials will be promptly forwarded to the Council for their review.

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

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

8. Items from citizens present. (Maximum of three sneakers for five minutes per sneaker.)

Mayor Wong advised that there were no items from citizens present.

9. Adjournment.

It was moved by Councilmember Stapley, seconded by Vice Mayor Jensen, that the meeting adjourn at 9:26 a.m.

Carried unanimously.

WILLIE WONG, 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 5th day of January 1996. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 24th day of January 1996

BARBARA JONES, CITY CLERK