

COUNCIL MINUTES

September 2, 1997

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 September 2, 1997, at 5:01 p.m.

COUNCIL PRESENT

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

COUNCIL ABSENT

Jim Stapley

STAFF PRESENT

C.K. Luster
Pauline Backer
Wayne Balmer
Neal Beets
Denise Bleyle
Tanya Collins
Dennis Compton
Fred Conway
Linda Crocker
John Gordon
Mike Hutchinson
Lars Jarvie
Barbara Jones
Harry Kent
Wayne Korinek
Ron Krosting
Karen Kurtz
Dorinda Larson
Larry Lines
Greg Marek

STAFF PRESENT (CONT.)

Jeff Martin
Ellen Pence
Bill Petrie
Bryan Raines
Andy Reinhardt
Tom Remes
Becky Richardson
Sharon Seekins
Mindy White
Ralph Wisz
Others

OTHERS PRESENT

Beverly Hart
Chris Moeser
Others

Mayor Brown excused Councilmember Stapley from the meeting.

1. Further discussion and consideration concerning the regulation of halfway houses.

Community Development Manager Wayne Balmer provided the Council with brief background information relative to this agenda item.

In response to a question from Vice Mayor Gilbert, Mr. Balmer advised that the Council previously indicated support for four of the five proposed halfway house regulations submitted by the Halfway House Regulation Group. Mr. Balmer added that the four regulations include: 1) creating a definition for two distinct types of facilities, recovery homes and supervised living facilities; 2) creating a recovery home and supervised living facility business license that would apply to all existing and new facilities; 3) amending the Zoning

Code to allow recovery homes in all multiple residence districts (R2, R3, R4) and restricting supervised living facilities to R4 zones; and 4) creating a separation of not less than 1,200 feet from another recovery home or supervised living facility.

Mr. Balmer added that staff is seeking Council direction relative to proposed regulation number 5) amending the Zoning Code to remove halfway houses from the definition of social service facilities requiring a Council Use Permit and requiring instead a Special Use Permit for recovery homes and supervised living facilities. Mr. Balmer noted that a Special Use Permit requires a public hearing before the Board of Adjustment and that Board decisions could be appealed to the Maricopa County Superior Court. Mr. Balmer asked the Council if they wished to retain final approval authority.

Vice Mayor Gilbert expressed the opinion that it was the consensus of the Council to retain the current process, including final approval authority over all applications for proposed halfway houses.

Mr. Balmer indicated that staff will prepare a draft ordinance containing the approved halfway house recommendations for introduction at the September 15, 1997 Regular Council Meeting.

2. Hear and consider a report regarding the City's current regulation of RV parking within the front yards of residential properties.

Community Development Manager Wayne Balmer addressed the Council relative to whether the City's current Recreational Vehicle (RV) parking regulations should be amended to allow extended front-yard RV parking. Mr. Balmer highlighted a brief slide presentation regarding this agenda item and noted that the current ordinance requires RVs to be stored in the rear one-quarter of the lot.

Discussion ensued relative to the fact that RVs cannot be parked in the front of a residence longer than 72 hours; the number and variety of RV complaints received by the Code Compliance Division; the fact that Mesa has more travel trailers than other communities; front and/or side yard parking allowed by other cities and difficulties associated with enforcing the 72-hour time limitation.

Councilmember Kavanaugh expressed the opinion that the City's current ordinance is appropriate and should remain unchanged.

Vice Mayor Gilbert concurred with Councilmember Kavanaugh's comments relative to this issue.

Mayor Brown advised that it is the consensus of the Council that the City's current Recreational Vehicle (RV) ordinance remain unchanged.

3. Consider approving unmarked vehicles for the Police Department.

City Manager Charles Luster reported that the Council is requested to approve unmarked vehicles for the Police Department on an annual basis.

It was moved by Vice Mayor Gilbert, seconded by Councilmember Pomeroy, that the recommendation of staff be approved.

In response to a question from Vice Mayor Gilbert, Police Chief Lars Jarvie stated that unmarked cars are not utilized for routine traffic stops.

Mayor Brown declared the motion carried unanimously by those present.

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

- a. Downtown Development Committee meeting held July 10, 1997.
- b. Judicial Advisory Board meeting held August 12, 1997.

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

Mayor Brown declared the motion carried unanimously by those present.

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 meeting general information.

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

Thursday, September 4, 1997, 4:00 p.m. - Council Policy Session

(Mr. Luster advised that the Friday, September 5, 1997 Council Study Session has been canceled.)

Friday, September 12, 1997, 7:30 a.m. - Council Study Session

Friday, September 12, 1997, Utility Committee Meeting - Immediately following the Council Study Session

Monday, September 15, 1997, 5:45 p.m. - Regular Council Meeting

Mayor Brown requested that he be excused from the September 12, 1997 Council Study Session and noted that Vice Mayor Gilbert will conduct the meeting.

7. Review items on the agenda for the September 2, 1997 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 item:

- *5.2. Consider adoption of an ordinance relating to the Mesa Judicial Advisory Board. Amending Section 3-2-8 of the Mesa City Code and declaring an emergency.

Mayor Brown requested that this item be removed from the Consent Agenda.

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

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

9. Adjournment.

Without objection, the Study Session adjourned at 5:23 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 2nd day of September 1997. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 19th day of September 1997

BARBARA JONES, CITY CLERK