

# COUNCIL MINUTES

September 4, 1996

The City Council of the City of Mesa met in a Policy Session in the lower level meeting room of the Council Chambers, 57 East 1st Street, on September 4, 1996 at 5:00 p.m.

## COUNCIL PRESENT

Mayor Wayne Brown  
Pat Gilbert  
John Giles  
T. Farrell Jensen  
Dennis Kavanaugh  
Jim Stapley

## COUNCIL ABSENT

Joan Payne

## STAFF PRESENT

C.K. Luster  
Wayne Balmer  
Cindy Barris  
Neal Beets  
John Gendron  
Joe Holmwood  
Lars Jarvie  
Barbara Jones  
Harry Kent  
Ron Krosting  
Jeff Martin  
Tom Mattingly  
John Oliver  
Ellen Pence  
Bill Petrie  
Bryan Raines  
Alan Sanderson  
Mindy White  
Jim Wright

## OTHERS PRESENT

Ken Basham  
Joannie Flatt  
Chris Moeser  
Dan Nowicki  
Dan Thompson  
Others

Mayor Brown excused Councilmember Payne from the meeting and Vice Mayor Gilbert from the beginning of the meeting. Vice Mayor Gilbert arrived at 5:10 p.m.

### 1. Further consideration concerning allowing bars (Series 6 license) in C-2 zones with a Council Use Permit.

Councilmember Giles indicated that he requested that this item be placed on the agenda. Councilmember Giles recounted recent events involving approval by the State Liquor Board of a Series 6 license in an area within Mesa zoned as C-2. Councilmember Giles suggested that Council consider authorizing businesses that are willing to purchase a Series 6 license to operate in C-2 zones under a Council Use Permit having regulations similar to those for a Class 12 license. Councilmember Giles noted the expense and limited availability of Series 6 licenses and expressed the opinion that the City would not experience a significant influx of bars but would provide an opportunity for businesses to comply with the requirements for a variance under the recently enacted Proposition 200.

Councilmember Stapley commented that a change to the zoning code is unnecessary at this time and should not be considered until further information is available pertaining to the impacts of Proposition 200.

Councilmember Kavanaugh stated agreement with Councilmember Giles. Councilmember Kavanaugh spoke concerning businesses with a Series 6 license that have been "grandfathered" and allowed to operate within C-2 zones in Mesa. Councilmember Kavanaugh anticipated that recent actions by the State Liquor Board will continue and recommended that Council pursue the suggestion to modify the zoning code.

Councilmember Jensen expressed the opinion that Council should begin to give consideration to alternatives relative to zoning regulations but noted the importance of the survey currently underway concerning Proposition 200.

Mayor Brown commented that sales tax figures will soon be available for comparison purposes to assist in determining the effects of Proposition 200.

Following additional brief discussion, a poll of the Council present showed that Vice Mayor Gilbert and Councilmembers Jensen and Stapley do not favor a change to the zoning code at this time to permit bars (Series 6 license) in C-2 zones with a Council Use Permit.

## 2. Bus service in Mesa.

Transit Coordinator Jim Wright advised that ridership is increasing on the new bus service to Sunland Village East and Fountain of the Sun implemented recently at the request of Council. Mr. Wright anticipated that the Route 533 (Power Road) express will begin service on September 30, 1996.

Mr. Wright reported that the Town of Gilbert has requested extended bus service south on Gilbert Road. Mr. Wright indicated that a restructuring of the McDonnell Douglas service would be necessary to accommodate the request and that further information will be presented to Council concerning the matter.

Mr. Wright noted the low ridership associated with the air quality demonstration project and commented that service will revert to the previous route.

Mr. Wright provided an update concerning the Dial-a-Ride program, noting the commencement of service in the vicinity of Williams Gateway Airport and the proposed implementation of an automatic dispatch program. Mr. Wright spoke regarding transit studies and the upcoming Tempe sales tax election pertaining to transportation.

Mr. Wright requested input should Council favor any capital investment for service enhancements as part of the new FY 1997/98 budget.

Discussion ensued pertaining to transit service at Williams, marketing efforts, costs to purchase new vehicles, and long-range transit plans. Council suggested that a meeting of the Transportation Committee be scheduled to further review the City's transit service.

3. Review the downtown sign code.

Councilmember Jensen questioned whether any additional discussion is necessary relative to the downtown sign code. Community Development Manager Wayne Balmer stated that a few variances have been requested but that no major issues have arisen recently. Mr. Balmer noted ongoing conversations with merchants within the arcade area.

Council and staff spoke regarding abandoned signs, signs in disrepair, and efforts to encourage sign maintenance.

4. Review the requirement for 3-foot-high screen walls at certain location

Mayor Brown said that this item will be discussed at the October Policy Session.

5. Consider an ordinance that would provide for nonpoint citations for photo-radar speeders not more than 20 MPH over the speed limit.

Councilmember Giles related potential detrimental effects of photo radar on automobile insurance rates and outlined a proposal that would provide for nonpoint citations for photoradar speeders who are traveling not more than a specified number of miles (not necessarily 20 MPH) over the posted speed limit. Councilmember Giles indicated that occurrences could perhaps be limited to twice within a 24-month period. Councilmember Giles stated that the proposal is patterned after a waste-of-finite-resources statute and would promote improved driving in a more temperate manner.

Vice Mayor Gilbert commented that photo radar is not intended to be punitive but to modify behavior and more effectively utilize resources. Vice Mayor Gilbert indicated a willingness to consider options once photo radar has been implemented but requested feedback from City Attorney Neal Beets and Police Chief Lars Jarvie.

Councilmember Stapley noted that photo radar is intended to increase safety. Councilmember Stapley expressed the opinion that the possibility of increased insurance rates may serve as a deterrent and that the proposal by Councilmember Giles should be further reviewed prior to any action.

Councilmember Kavanaugh stated support for obtaining input from Mr. Beets and Chief Jarvie.

Discussion ensued regarding implementation of the photo radar/red light camera systems and proposed advertising.

Chief Jarvie commented that initial conversations with members of the Police Department indicate little support for proposed nonpoint citations and that legal issues would have to be addressed. Chief Jarvie noted that fines and increased insurance rates often serve as deterrents and that the goal of the photo radar system is to reduce traffic incidents.

Mayor Brown and Councilmember Giles suggested that the Police Department development a recommendation pertaining to the proposal.

6. Consider revisions to the RV Park and Subdivision standards.

Zoning Administrator John Gendron, Plans Examiner Bill Petrie, and Building Inspections Superintendent Tom Mattingly provided a slide presentation illustrating the manner in which the recreational vehicle (RV) industry has evolved in Mesa. Staff outlined proposed amendments to the City's current RV park and subdivision standards that would modify the City's policy pertaining to permits, setbacks, and construction standards in an effort to address zoning, building, and fire safety issues.

Following brief discussion concerning industry trends and safety concerns, Mayor Brown said that it is the consensus of Council present to proceed with the proposed code changes.

7. Skate park for youth.

Mayor Brown stated that this item will be discussed at the October Policy Session.

8. Shopping carts - out of control.

Mayor Brown said that this item will be discussed at the October Policy Session.

9. Scheduling of meetings and general information.

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

Thursday, September 5, 1996, 7:30 a.m. - General Development Committee Meeting

Friday, September 6, 1996, 7:30 a.m. - Study Session

Monday, September 9, 1996, 5:30 p.m. - Regular Council Meeting

Thursday, September 19, 1996, 7:00 a.m. - Transportation Committee Meeting

Mr. Balmer announced that David Staur has been hired as the City's new Economic Development Director.

10. Adjournment.

It was moved by Councilmember Jensen, seconded by Councilmember Stapley, that the Policy Session adjourn at 6:27 p.m.

Carried unanimously.

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 Policy Session of the City Council of Mesa, Arizona, held on the 4th day of September 1996. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 24<sup>th</sup> day of September 1996

BARBARA JONES, CITY CLERK