

# COUNCIL MINUTES

November 2, 1998

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 November 2, 1998 at 5:01 p.m.

## COUNCIL PRESENT

Mayor Wayne Brown  
Jim Davidson  
John Giles  
Keno Hawker  
Bill Jaffa  
Dennis Kavanaugh  
Pat Pomeroy

## COUNCIL ABSENT

None

## STAFF PRESENT

C.K. Luster  
Wayne Balmer  
Cindy Barris  
Neal Beets  
Denise Bleyle  
Jamie Brennen  
Dennis Compton  
Mark Coon  
Joe Holmwood  
Mike Hutchinson  
Barbara Jones  
Harry Kent  
Karen Kille  
Wayne Korinek  
Ron Krosting  
Dorinda Larsen  
Larry Lines  
Rich Lorig

## STAFF PRESENT (CONT.)

Frank Mizner  
Keith Nath  
Ellen Pence  
Bryan Raines  
Tom Remes  
Becky Richardson  
Regan Robbins  
Sharon Seekins  
Jan Strauss  
Michael Whalen  
Mindy White  
Larry Woolf

## OTHERS PRESENT

Charlie Deaton  
Robbie Sherwood  
Others

### 1. Review items on the agenda for the November 2, 1998 Regular Council Meeting.

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

1. Approval of minutes of previous meetings as written.

Councilmember Pomeroy noted a typographical correction to the minutes of the October 19, 1998 Regular Council Meeting.

4. Consider the following contracts.

- n. Fitness equipment for new Red Mountain Multigenerational Center as requested by the Parks, Recreation and Cultural Programs Division.

In response to a question from Vice Mayor Giles, Charles Luster advised that staff has received a bid protest relative to this item and that an individual may be present to speak at the Regular Council Meeting.

5. Introduction of the following ordinances and setting November 16, 1998 as the date for the public hearing on these ordinances.
  - \*b. **CUP98-001TC** Site 17 - generally bounded by University Drive, Mesa Drive, East 2nd Street, and Pasadena. Council Use Permit to allow a freestanding development with individual parking.

Councilmember Jaffa noted concerns relative to the proposed parking and advised that he will further address such concerns when this case is considered for adoption at the November 16, 1998 Regular Council Meeting.

- e. **Z98-52** The southeast corner of Signal Butte and Adobe. Rezone from R1-43 to R1-9-PAD (53.8 acres). This case involves development of a single-residence subdivision. **(REINTRODUCTION.)**

In response to a question from Councilmember Jaffa, City Attorney Neal Beets said that this item is included on the agenda for introduction only and that it is unnecessary to declare a conflict of interest at this time.

Mayor Brown stated that this item will be added to the consent agenda.

- \*f. **Z98-79** The northwest corner of Baseline and Val Vista Drive. Rezone from R1-7-PAD to C-2-BIZ-DMP (Conceptual R-4) (64+ acres). This case involves the development of a retail center with residences and a hotel. **(REINTRODUCTION.)**

Community Development Manager Wayne Balmer reported that staff does not anticipate opposition to the introduction of this ordinance but said that a protest may be filed when the case is considered by Council.

- \*g. **Z98-80** The northwest corner of Val Vista and Hermosa Vista Drives. Rezone from R1-35 to R1-35-PAD (56.1 acres net). This case involves the development of a gated single-residence subdivision (63 lots). **(REINTRODUCTION.)**

Mr. Balmer advised that the ordinance for introduction has been revised to incorporate clarifications requested by neighbors and to stipulate compliance with the letter dated October 30, 1998 from Jason Morris.

Mr. Balmer briefly responded to questions from Council regarding the provision of citrus trees.

- i. **Z98-82(B)** The 7800 block of East Hermosa Vista Drive (south side). Rezone from R1-35 to R1-35-PAD (40+/- acres). This case involves the second phase of development of a gated single-residence subdivision with private streets (49 lots).

In response to a question from Councilmember Jaffa, City Attorney Neal Beets said that this item is included on the agenda for introduction only and that it is unnecessary to declare a conflict of interest at this time.

Mayor Brown stated that this item will be added to the consent agenda.

- \*y. Relating to public health; amending Title 6, Chapter 11, Mesa City Code by adding Article 2; providing penalties for the violation thereof; and establishing a delayed effective date.

Mr. Beets informed Council that as a result of discussions with various representatives, penalties contained in Section 2 have been modified to eliminate criminal misdemeanor provisions and reflect civil sanctions that are location-specific and similar in dollar amount to those for the Town of Gilbert.

In response to questions from Council, Mr. Beets clarified the location-specific provisions of the ordinance and the language "manner that is accessible to the public" and "limit the unauthorized access of minors to tobacco products," noting that measures are to be taken to ensure that customers cannot access, reach, or obtain materials and that products are accessible only to employees (e.g., behind a counter).

7. Consider the following ordinances.

- b. Pertaining to development impact fees; amending Title 5, Chapter 17 relating to development fees; and providing penalties for the violation thereof.

Assistant to the City Manager Bryan Raines responded to questions from Councilmember Hawker pertaining to differences between the construction cost index for the Phoenix metropolitan area and the consumer price index, the standard typically utilized in relation to development fees. Mr. Raines noted an intent to utilize the U.S. consumer price index because the consumer price index for the metropolitan Phoenix area will no longer be available as of January 1999.

2. Appointments to boards and committees.

Mayor Brown recommended that John Storment be appointed to the Parks and Recreation Board, term ending June 30, 1999.

It was moved by Councilmember Pomeroy, seconded by Vice Mayor Giles, that the Council concur with the Mayor's recommendation and the appointment be confirmed.

Carried unanimously.

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

There were no reports on meetings and/or conferences attended.

4. Scheduling of meetings and general information.

Mr. Luster stated that the meeting schedule is as follows:

Thursday, November 5, 1998, 7:30 a.m. - Policy/Study Session (to be followed by a Police Committee Meeting)

Thursday, November 12, 1998, 7:30 a.m. - Study Session

Wednesday, November 18, 1998, through Friday, November 20, 1998, 7 a.m. to Noon - 1/2 Day Sessions (previously scheduled for November 11 through November 13, 1998)

5. See a video regarding the economic impact of aviation.

Council viewed a videotape prepared by the Aviation Division of the Department of Transportation concerning the economic impact of aviation and the importance of airports as a catalyst for growth, nucleus for industry, factor in retaining industry, and means for providing access to air transportation. Community

Development Manager Wayne Balmer noted the significance of Falcon Field and Williams Gateway Airports to the City.

6. Prescheduled public opinion appearances (prescheduled appearances will begin after the preceding scheduled agenda items, which should be about 5:30 p.m.; there will be a maximum of three speakers for three minutes per speaker).

- a. Hear from Bob Bishop regarding Dial-A-Ride.

Bob Bishop, 1426 South 37th Street, related concerns pertaining to the management/operation and safety of Mesa's Dial-A-Ride service. Mr. Bishop advised that he has recently provided data to the City and requested further review of the material presented.

Mayor Brown thanked Mr. Bishop for his input.

7. Adjournment.

Without objection, the Study Session adjourned at 5:40 p.m.

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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 Study Session of the City Council of Mesa, Arizona, held on the 2nd day of November 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