

COUNCIL MINUTES

April 18, 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 April 18, 1997 at 7:30 a.m.

COUNCIL PRESENT

Mayor Wayne Brown
Pat Gilbert
John Giles
Dennis Kavanaugh
Wayne Pomeroy
Jim Stapley

COUNCIL ABSENT

Joan Payne

STAFF PRESENT

C.K. Luster
Pauline Backer
Joan Baier
Wayne Balmer
Cindy Barris
Neal Beets
Tanya Collins
Mark Coon
John Geier
Mike Hutchinson
Lars Jarvie
Barbara Jones
Sharon Joyce
Harry Kent
Karen Kurtz
Larry Lines
Rich Lorig
Jeff Martin
Frank Mizner
Ruth Ann Norris
Ellen Pence
Tom Remes

STAFF PRESENT (CONT.)

Becky Richardson
Denise Samuel
Kathleen Savagian
Sharon Seekins
Doug Tessendorf
Jeff Welker
Mindy White
Ralph Wisz
Christine Zielonka

OTHERS PRESENT

Dean Cooley
Margie Frost
Leo Mahoney
Chris Moeser
Dan Nowicki
Ralph Pew
Art Thomason

(Items on the agenda were discussed out of order but for purposes of clarity, will remain as listed on the agenda.)

0.1. Hear from Representative Mark Anderson concerning Senate Bill 1357, which provides for a welfare privatization plan, and consider possible Council action.

Representative Dean Cooley (District 21) expressed appreciation to Council for the opportunity to meet and extended an apology on behalf of Representative Mark Anderson, who was unable to attend the meeting due to a scheduling conflict.

Representative Cooley presented a synopsis of Senate Bill 1357, a compromise measure proposed by Representative Anderson and Senator Tom Patterson entitled *Arizona Works! Moving Arizona Families from Welfare to Work*. Representative Cooley outlined a plan to establish a two-year pilot welfare privatization program in the East Valley beginning in January 1999, with expansion to rural areas scheduled to commence in 2000. Representative Cooley commented that the East Valley was selected as a site anticipated to have a high degree of success.

Discussion ensued concerning the establishment of a procurement board to draft a Request for Proposals (RFP), public input, coordination of efforts with existing agencies, and training/education as components of the program.

Council indicated agreement with the goals and objectives of welfare reform measures but expressed concern relative to proposed procurement procedures and potential adverse effects of a mandated pilot program that includes a component such as the elimination of cash grants based on family size.

Representative Cooley provided additional information pertaining to the proposed operation of the pilot program.

Mayor Brown and Council thanked Representative Cooley for the presentation and suggested additional discussion as details of the program become available.

Representative Cooley distributed a copy of an overview of the *Arizona Works!* program and encouraged input from Council.

1. Discuss and consider a proposed ordinance requiring circulators of petitions for Mayor or City Councilmember or of initiative and referendum petitions to be Mesa residents and qualified electors.

Councilmember Stapley briefly provided background information concerning the proposed ordinance, noting that Phoenix and Tucson, the two largest cities in Arizona, and other surrounding jurisdictions have similar provisions in place. Councilmember Stapley expressed the opinion that Council should adopt the proposed ordinance in the interest of safeguarding the community.

Vice Mayor Gilbert questioned the circumstances surrounding a current court challenge involving petition circulators in Scottsdale. City Attorney Neal Beets stated that he does not believe the challenge involves City residency because Scottsdale does not presently have a requirement that circulators be City residents/City qualified electors. Mr. Beets indicated that Scottsdale has requested a copy of Mesa's proposed ordinance and is contemplating possible adoption.

Councilmember Kavanaugh reiterated his opposition to the proposal as expressed at previous Council meetings. Councilmember Kavanaugh stated the opinion that the lack of a City residency/qualified elector requirement has not presented difficulties in the past and that the City should be wary of hindering the rights of the electorate.

It was moved by Councilmember Stapley, seconded by Councilmember Pomeroy, that the proposed ordinance requiring circulators of petitions for Mayor or City Councilmember or of initiative and referendum petitions to be Mesa residents and qualified electors be placed on the agenda for the April 23, 1997 Regular Council Meeting.

Upon tabulation of votes, it showed:

AYES - Brown-Giles-Pomeroy-Stapley
NAYS - Kavanaugh-Gilbert
ABSENT - Payne

Mayor Brown declared the motion carried by majority vote of those present.

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

- a. Board of Adjustment meeting held April 1, 1997.
- b. Design Review Board meeting held April 2, 1997.
- c. Housing and Human Services Advisory Board meeting held March 24, 1997.
- d. Museum and Cultural Advisory Board meeting held March 27, 1997.

It was moved by Councilmember Stapley, seconded by Councilmember Giles, to acknowledge the receipt of minutes of meetings of various board and committees.

Mayor Brown declared the motion carried unanimously by those present.

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

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

4. Scheduling of meetings and general information.

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

Wednesday, April 23, 1997, 5:45 p.m. - Regular Council Meeting
Thursday, April 24, 1997, 8:00 a.m. - Joint Utility/Finance Committee Meeting
9:30 a.m. - Joint General Development/Transportation Committee Meeting
10:15 a.m. - General Development Committee Meeting

Friday, April 25, 1997, 7:30 a.m. - Study Session

Saturday, April 26, 1997, 9:30 a.m. - Dedication of the Gene Autry Sports Complex
11:00 a.m. - Dedication of the Remodeled Riverview Park Softball Facilities

Thursday, May 1, 1997, 4:00 p.m. - Policy Session

Friday, May 2, 1997, 7:30 a.m. - Study Session

Monday, May 5, 1997, 7:00 a.m. - Budget Review Session

Tuesday, May 6, 1997, 7:00 a.m. - Budget Review Session

Wednesday, May 7, 1997, 7:00 a.m. - Budget Review Session

5. Review items on the agenda for the April 23, 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 items:

4. Consider the following contracts:

- *j. 17 patrol sedans for the Police Department: 10 sedans are replacements; 7 are additions to the fleet.

The Purchasing Division recommends authorizing purchase from the State of Arizona contract with Berge Ford for a total of \$343,514.07 including applicable taxes.

Mayor Brown suggested that discussion be scheduled for a future Policy Session regarding the possibility of police officers driving patrol sedans to their homes. Mr. Luster indicated that staff is reviewing the matter but noted possible drawbacks relative to the monetary investment needed to provide sufficient vehicles, the number of officers who do not reside in Mesa, and the necessity of some officers to park vehicles on City streets.

8. Consider the following cases from the Planning and Zoning Board and possible adoption of the corresponding ordinances:

- a. Z96-87 The southeast corner of Guadalupe Road and Ellsworth Road. Rezone from AG to R1-7, R1-6, R1-6-PAD, R-4, and C-2 within a Development Master Plan (317+/- acres). This case involves a DMP containing 1,050+/- single residential lots and future multi-residence and commercial tracts. Thomas A. Cavanaugh, Elliot Pollack, Tim Grant, et al., owner; Coe and Van Loo Consultants, Inc., applicant.

P&Z Recommendation: Approval with conditions (vote 7-0).

Community Development Manager Wayne Balmer advised that this case is one of three zoning cases in the southeast Mesa area continued from the December Planning and Zoning Board meeting to the March Planning and Zoning Board meeting. Mr. Balmer said that the case was not recommended for approval by staff but was recommended for approval by the Planning and Zoning Board. Mr. Balmer briefly described the proposal, noting concerns relative to the number of lots that are less than 7,000 square feet in size. Mr. Balmer stated that the project includes amenities but represents a significant overall density. Mr. Balmer added that this property is located within the Gilbert School District and that a letter has been received from Gilbert Public Schools (GPS) indicating insufficient capacity for this proposal.

Discussion ensued regarding the considerable time that has elapsed since the case was initially proposed, the Town of Gilbert's moratorium on development, the density of the proposed project,

the concerns of GPS and the Gilbert Town Council, and the possibility of modifying boundaries between Mesa Public Schools (MPS) and GPS. Council recommended that the Mayor forward a letter encouraging discussions between GPS and MPS relative to potential school district boundary adjustments.

- b. Z96-64 The southeast corner of Crismon Road and Guadalupe Road. Rezone from AG to R1-7, R1-6, and R1-6-PAD with a DMP overlay (275+/- acres). This case involves a single-residence community with approximately 980 lots. Robert Lather/Warren Steffey owners; Stephen C. Earl, applicant.

P&Z Recommendation: Approval with conditions (vote 7-0).

Mr. Balmer reported that this case is the second of the three zoning cases in the southeast Mesa area recommended for approval at the March meeting of the Planning and Zoning Board. Mr. Balmer said that staff has recommended approval of the proposal given the number of larger lots and amenities but recognizes that this project additionally presents difficulties relative to GPS.

- c. Z96-95 The northeast corner of Hawes Road and Guadalupe Road. Rezone from AG to R1-7-PAD and conceptual R-3 and C-2 with a DMP overlay (155+/- acres). This case involves a development containing approximately 360 single-residence lots and tracts for future multi-residence and commercial uses. Acacia East Valley Limited Partnership, owner; Standage & Truitt Engineering, Ltd., applicant. **A 3/4 VOTE IS REQUIRED TO APPROVE THIS REQUEST.**

P&Z Recommendation: Approval with conditions (vote 5-2).

Mr. Balmer stated. that this case is the third of the three zoning cases in the southeast Mesa area recommended for approval at the March meeting of the Planning and Zoning Board. Mr. Balmer advised that the site is located adjacent to Sunland Village East and that residents of Sunland Village have noted opposition because the proposal is not a retirement subdivision. Mr. Balmer indicated that a 3/4 vote is required to approve the request.

Discussion ensued concerning the proposed multi-residence development, anticipated transition to the San Tan Freeway, conformance of the project with the City's General Plan, and GPS concerns. Mr. Balmer commented that staff has recommended approval of the project.

- e. Z97-9 The 700 block of North Center (west side). Rezone from R-4 to R-3-PAD (1+/- acre). This case involves the development of a 16-unit multiple-residence project. Edward Probyn James, owner/applicant. **CONTINUED FROM THE MARCH 17, 1997 COUNCIL MEETING.**

P&Z Recommendation: Approval with conditions (vote 7-0).

In response to a question from Mr. Luster, Mr. Balmer indicated that no opposition to this proposal has been expressed by neighbors.

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

- f. Z97-11 The southeast corner of Greenfield Road and Adobe Road. Rezone from AG to R1-15-PAD (18+/- acres). This case involves a single-residence subdivision with 31 lots. Robert Turville, Robert Middleton, and James Mast, owners; Stephen C. Earl, applicant. **A 3/4 VOTE IS REQUIRED TO APPROVE THIS REQUEST. CONTINUED FROM THE MARCH 17, 1997 COUNCIL MEETING.**

P&Z Recommendation: Approval with conditions (vote 7-0).

and

- g. Z97-12 South of the southeast corner of Greenfield Road and Adobe Road. Rezone from AG to R1-9 with a PAD overlay (50+/- acres). This case involves a single-residence subdivision with 142 lots. Robert Turville, Robert Middleton, and James Mast, owners; Stephen C. Earl, applicant. **A 3/4 VOTE IS REQUIRED TO APPROVE THIS REQUEST. CONTINUED FROM THE MARCH 17, 1997 COUNCIL MEETING.**

P&Z Recommendation: Approval with conditions (vote 7-0).

Mr. Balmer advised that Items 8f and 8g represent two phases of one project. Mr. Balmer stated that the applicant has modified the initial request from R1-7 to R1-9 zoning along the southern portion of the project. Mr. Balmer reported that both staff and the Planning and Zoning Board have recommended approval of the proposal but noted that a 3/4 vote is still required.

Discussion ensued concerning citrus retention, compatibility with surrounding uses, the park site, the power line easement, and the applicability of the CC&Rs to both phases.

9. Consider the following subdivision plats:

- *b. "SUPERSTITION TRIANGLE COMMERCE CENTER AMENDED" - the 1700 through 1900 blocks of South Greenfield Road (east side); 2 M-1 limited industrial lots (53.65 acres). Arizona Studios L.L.C., developer; Coe & Van Loo Consultants, Inc., engineer.

Mr. Balmer indicated that this item is a plat amendment of the subdivision for which easements are to be extinguished per Item 6g.

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

There were no prescheduled public opinion appearances.

7. Items from citizens present (maximum of three speakers for five minutes per speaker).

There were no items from citizens present at this time.

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8. Adjournment.

Without objection, the Study Session adjourned at 8:36 a.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 Study Session of the City Council of Mesa, Arizona, held on the 18th day of April 1997. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 5th day of May 1997

BARBARA JONES, CITY CLERK