

# COUNCIL MINUTES

August 25, 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 August 25, 1997 at 4:15 p.m.

## COUNCIL PRESENT

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

## COUNCIL ABSENT

None

## STAFF PRESENT

C.K. Luster  
Vince Anderson  
Pauline Backer  
Wayne Balmer  
Neal Beets  
Dennis Compton  
Fred Conway  
Mark Coon  
Jack Friedline  
Bill Haney  
Joe Holmwood  
Mike Hutchinson  
Barbara Jones  
Harry Kent  
Wayne Korinek  
Larry Lines  
Frank Mizner  
Keith Nath  
Eric Norenberg  
Ellen Pence  
Bill Petrie  
Bryan Raines  
Tom Remes  
Becky Richardson  
Sharon Seekins

## STAFF PRESENT (CONT.)

Kevin Snow  
David Spaur  
Debbie Vickman  
Ron Von Burg  
Jamie Warner  
Mindy White  
Mark Woodward  
Larry Woolf  
Others

## OTHERS PRESENT

Carolyn Baecker  
Charlie Deaton  
James Duncan  
Mike Falkenberg  
Kat Gallant  
Linda Goodman  
Beverly Hart  
Keno Hawker  
Jan Hibbard  
Chris Moeser  
Clancy Mullen  
Joan Newth  
Others

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

Councilmember Payne arrived at the meeting at 4:17 p.m. and left at 5:04 p.m.

1. Hear from Mr. Rick Weddle, President and CEO of the Greater Phoenix Economic Council.

Mayor Brown introduced Mr. Weddle, newly appointed President and CEO of the Greater Phoenix Economic Council (GPEC), and requested that he provide a brief overview of GPEC.

Mr. Weddle informed Council that GPEC's objective is to bring opportunity to the community and help the community realize the opportunities. Mr. Weddle briefly outlined GPEC's three main elements of accountability; monitoring progress, evaluating performance, and evaluating and measuring impact.

Vice Mayor Gilbert noted concerns relative to GPEC's continuous ability to support the community.

Mayor Brown thanked Mr. Weddle for the information.

2 Review a draft of a report concerning development fees as prepared by James Duncan and Associates.

Senior Management Assistant Bryan Raines introduced Jim Duncan, Principal of James Duncan and Associates and Clancy Mullen, Associate of James Duncan and Associates. Mr. Raines stated that the City entered into a contract with James Duncan and Associates for the purpose of reevaluating the City's Impact Fees and Development Taxes.

Mr. Duncan complimented staff for their efforts in assisting James Duncan and Associates. Mr. Duncan provided a brief overview of the Development Fee/Tax Review report. Mr. Duncan explained that the report was designed to assist the City of Mesa in performing a comprehensive evaluation outlining the growth-related infrastructure costs and the current funding mechanisms. Mr. Duncan stated that Duncan and Associates researched current financing mechanisms, existing and projected capital needs, local policy objectives, and financing alternatives. Mr. Duncan indicated that the analysis is based on existing levels of service, conservative cost estimates, and current dollars. Mr. Duncan explained major findings in the areas of low taxes and fees, growth pressures, total growth costs, outside funding, debt service credits, net growth costs, and current capital cost recovery.

Mr. Mullen briefly reviewed recommendations as outlined in the report; to update water and wastewater impact fees, adopt an arterial street impact fee, and expand development tax. Mr. Mullen stated that currently a drainage fee is not recommended. Mr. Mullen noted that the proposed increase per residential equivalent dwelling unit (EDU) would be approximately \$1,800.

Mr. Duncan indicated that the City of Mesa's impact fees ranked lowest, with the exception of Peoria and Apache Junction, during a comparative impact fee survey of surrounding communities.

In response to questions from Vice Mayor Gilbert, Mr. Raines noted that the proposed increase could provide the required revenue to meet the growing needs of the City. City Manager Charles Luster stated that without the proposed increase the City would be unable to maintain the current level of service in the future.

Discussion ensued relative to reporting procedures, and updating requirements of the report.

Mayor Brown thanked Mr. Duncan and Mr. Mullen for the report.

3. Discuss and consider a proposed ordinance dealing with the appointment of members of the new Historic Preservation Committee.

Mayor Brown indicated opposition to Section 10 of Ordinance No. 3373 previously adopted by Council on July 21, 1997 relative to the appointment of five members of the former Historic Preservation Subcommittee to the Historic Preservation Committee. Mayor Brown stated the opinion that the existing Section 10 may be in conflict with the City Charter and requested Council support for the revision.

City Attorney Neal Beets explained that a revision to Ordinance 3373 had been prepared amending Section 10 to provide the Mayor the ability to appoint the members of the former Subcommittee to the new Committee. Mr. Beets stated upon Council's approval this revision could be introduced at a future Regular Council Meeting.

Mayor Brown stressed the importance of reviewing the professional qualifications of citizens considered for appointment to the Historic Preservation Committee.

In response to a question from Councilmember Kavanaugh, Mr. Beets acknowledged that Ordinance 3373 is in effect but that the City Charter stipulates that the Mayor shall appoint the members of a Committee.

It was moved by Vice Mayor Gilbert, seconded by Councilmember Giles, that staff be directed to include the proposed revision to Section 10 of Ordinance No. 3373 for introduction at the September 2, 1997 Regular Council Meeting.

Carried unanimously.

4. Discuss and consider a request to publish information concerning the impact of smoking regulations on sales tax payments.

Mayor Brown stated that there is insufficient Council support to request that information be published concerning the impact of smoking regulations on sales tax payments.

5. Consider appointments to various boards and committees.

Mayor Brown recommended the following appointments to boards and committees:

PERSONNEL APPEALS BOARD

Dietrich Buczko - term ending 1999

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

Carried unanimously.

CONVENTION AND VISITORS BUREAU

Councilmember John Giles as the Council representative to the Board of Directors.

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

Upon tabulation of votes, it showed:

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

Mayor Brown declared the motion carried by majority vote.

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

- a. Crime Prevention Advisory Board meeting held August 20, 1997
- b. Design Review Board meeting held August 6, 1997
- c. Economic Development Advisory Board meeting July 24, 1997
- d. Traffic Safety Committee meeting held August 19, 1997
- e. Transportation Committee meeting held July 30, 1997

In response to questions from Vice Mayor Gilbert, Economic Development Director David Spaur clarified that the Economic Development Advisory Board requested additional information relative to the Arizona Incubator Program to determine the benefits of the program in relation to the City of Mesa. Mr. Spaur informed Council that the Board will review the information at their next meeting and added that the Arizona Incubator Program is accessible to Mesa businesses during this period.

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

Carried unanimously.

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

Mayor Brown advised that there were no reports on meetings and/or conferences attended.

8. Scheduling of meetings and general information.

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

Tuesday, September 2, 1997, 5:45 p.m. - Regular Council Meeting

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

Friday, September 5, 1997, 7:30 a.m. - Study Session

Councilmember Stapley requested that he be excused from the Tuesday, September 2, 1997, Thursday, September 4, 1997 and the Friday, September 5, 1997 Council meetings.

Assistant to the City Manager Ellen Pence introduced Beverly Hart, the new Urban Affairs reporter from the Tribune newspaper.

9. Review items on the agenda for the August 25, 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:

- \*b. 79 police rifles and accessories as requested by the Police Department. These rifles will replace shotguns carried by supervisors.

The Purchasing Division recommends accepting the low bid as follows:

Items 1, 2, and 3 to San Diego Police Equipment at \$23,529.36 plus 5% use tax of \$1,176.46 for a total of \$24,705.82. Item 4 will not be awarded at this time; it will be rebid at a later date for more competitive bids.

In response to a question from Mayor Brown, Assistant Police Chief Fred Conway advised Council that the requested rifles would replace shotguns that will be converted into less-than-lethal mechanisms.

- \*k. Red Mountain Multi-Generational Center and Red Mountain Park Improvements.

This project involves the construction of a new building and new improvements to Red Mountain Park.

Recommend award to low bidder, Target General, Inc., in the amount of \$8,077,000.00.

Councilmember Kavanaugh requested that this item be removed from the consent agenda to allow staff an opportunity to provide a brief presentation on the project.

5. Consider the following resolutions:

- \*a. Extinguishing a portion of a public utility easement at 1520 East Elmwood.

This easement is not being used and is no longer necessary. **CONTINUED FROM THE AUGUST 4, 1997 COUNCIL MEETING.**

In response to a question from Vice Mayor Gilbert, Public Works Manager Harry Kent stated that staff is unable to determine whether an irrigation line is in the easement.

Vice Mayor Gilbert suggested that this item be continued to the September 15, 1997 Regular Council Meeting to allow time for staff to obtain information from the applicant relative to what is in the easement.

6. Consider the following ordinances.

- \*b. Amending Sections 8-6-2 and 8-6-3 pertaining to public nuisances and property maintenance.

Mayor Brown stated that this item would be removed from the consent agenda to allow staff an opportunity to provide a brief presentation regarding the proposed changes to the Ordinance.

7. Consider the following cases from the Planning & Zoning Board and possible adoption of the corresponding ordinances.

- \*f. **Z97-66** The 2000 and 2100 blocks of South Superstition Springs Blvd. (West side). Rezone from C-2-DMP to R-2-PAD-DMP (15± acres). This case involves the development of patio homes. Suggs Homes, owner/applicant.

Community Development Manager Wayne Balmer informed Council that the applicant has requested that this case be continued to the September 15, 1997 Regular Council Meeting.

Mayor Brown stated that this item would be voted on as a consent agenda item for the purpose of continuance to the September 15, 1997 Regular Council Meeting.

- \*g. **Z97-68** 4616 East Southern Avenue. Rezone from AG to R-4 (1± acre). This case involves the conversion of an existing residence to a hospice. Joe M. And Josie G. Lopez, owners; Louis Mellaci, applicant.

In response to a question from Councilmember Kavanaugh, Mr. Balmer explained that the proposed change would provide the property owners the ability to operate a hospice from the residence. Mr. Balmer noted that an agreement exists to enable operation of a hospice from the residence but indicated that a hospice is not currently operating.

10. Prescheduled public opinion appearances (prescheduled appearances will begin at 5:30 p.m.; there will be a maximum of three speakers for five minutes per speaker).

a. Hear from Linda Goodman regarding the Eastern Canal Flood Zone Study.

Linda Goodman, 906 North Loma Vista, informed Council regarding her experience with the Engineering Department while building her home in The Groves. Ms. Goodman questioned the necessity of the flood zone designation and provided Council with facts relative to past precipitation statistics.

b. Hear from Michael Falkenberg regarding the Eastern Canal Flood Zone Study.

Mike Falkenberg, 3132 East Fairfield Street, spoke in opposition to the flood zone designation of the Eastern Canal and noted difficulties encountered in viewing a copy of the

study prepared by Maricopa County Flood Control. Mr. Falkenberg informed Council relative to three mappings of the area, 275' and 400' foot designations, and existing code violations.

Mayor Brown informed the speakers that flood zone issues will be discussed at the Policy Session to be held on Thursday, September 4, 1997 at 4:00 p.m.

11. Adjournment.

Without objection, the Study Session adjourned at 5:37 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 25th day of August 1997. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 4<sup>th</sup> day of September 1997

BARBARA JONES, CITY CLERK