



COUNCIL MINUTES

October 2, 2000

The City Council of the City of Mesa met in a Regular Council Meeting in the upper level meeting room of the Council Chambers, 57 East 1st Street, on October 2, 2000, at 5:45 p.m.

COUNCIL PRESENT

Mayor Keno Hawker
Jim Davidson
Bill Jaffa
Dennis Kavanaugh
Pat Pomeroy
Claudia Walters
Mike Whalen

COUNCIL ABSENT

None

OFFICERS PRESENT

Mike Hutchinson
Neal Beets
Barbara Jones

Invocation by Reverend Jerry W. Martin, Apache Southern Baptist Association.

Pledge of Allegiance was led by Courtney McHenry, Brownie Troop No. 1686.

1. Approval of minutes of previous meetings as written.

It was moved by Vice Mayor Davidson, seconded by Councilmember Jaffa, that the minutes of the August 31 and September 14, 25 and 26, 2000 meetings be approved.

Carried unanimously.

2. Consider all consent agenda items.

At this time, all matters on the consent agenda were considered or were removed at the request of a member of the Council. All items identified in these minutes with an asterisk (*) were approved with one Council action.

It was moved by Councilmember Whalen, seconded by Vice Mayor Davidson, that the consent agenda items be approved.

Carried unanimously.

3. Consider the following liquor license applications.

*a. DIANE DEUTSCH, CHAIRPERSON

Special Event License application of Diane Deutsch, Chairperson, Christ The King Catholic Church, a one-day religious event to be held on Saturday, October 14, 2000 from 5:00 p.m. to 10:00 p.m., at 1551 E. Dana, Christ The King Catholic Church.

*b. JEAN M. KAMINSKI, BUSINESS MANAGER

Special Event License application of Jean M. Kaminski, Business Manager, St. Bridget Catholic Church, a one-day religious event to be held on Friday, November 17, 2000 from 5:00 p.m. to 10:00 p.m., at 2213 N. Lindsay Road, St. Bridget Catholic Church.

*c. JING Y. ZHEN, AGENT

Person transfer Beer and Wine Bar License for Golden Canyon Chinese Restaurant, 1133 S. Dobson Road. This is an existing business & building. This transfer is from Li Allen, Agent, Lilin Co., Inc.

4. Consider the following contracts:

*a. Two-year contract for sweeping services at City facility parking lots as requested by Development Services.

The Purchasing Division recommends accepting the lowest priced proposal by Ace Surface Maintenance, Inc. at \$33,718.00 based on estimated annual expenditures.

*b. Red Mountain Freeway Landscape Water Line. City of Mesa Project No. 01-102.

This project will extend an existing water line to provide landscaping irrigation water to the Red Mountain Freeway in the vicinity of Riverview Park.

Recommend award to low bidder, CityWide Contracting, LLC, in the amount of \$29,150.00.

*c. Block Fence Repair on Gilbert Road. City of Mesa Project No. 01-23.

This project will replace and repair the damaged section of block wall constructed along Gilbert Road between Main Street and Southern Avenue.

Recommend award to low bidder, C.B. Contracting, Inc., in the amount of \$14,975.00.

5. Introduction of the following ordinances and setting October 16, 2000 as the date of public hearing on these ordinances:

(Note: City Council introduction of ordinances does not necessarily reflect City Council approval of these ordinances. Introduction of ordinances sets in motion the public posting and advertising process for ordinances so that the City Council can hear from concerned citizens at the public hearing).

- *a. **A00-1** Areas East of North Ellsworth Road to North 96th Street and areas South of the Signal Butte Floodway to East Adobe Road. (172.06± acres). Initiated by the property owner.
- *b. **A99-4** The area North of Williams Gateway Airport to Warner Road and West of Ellsworth Road to the East right-of-way line of the RWCD Canal. (1571.41± acres). Initiated by the property owner.

6. Consider the appeal of the following Design Review Board case:

- *a. **DR00-66** “Superstition Crushing” 3505 North Greenfield Road. This case involves the development of a 5.79-acre heavy equipment maintenance facility. Superstition Crushing, LLC, owner John M. Smales, applicant. **THE APPLICANT HAS REQUESTED THIS CASE BE TABLED.**

7. Consider the following resolution:

- *a. Extinguishing a temporary retention basin easement at 6140 East Auto Park Drive – Resolution No. 7572.

A permanent drainage area has been developed making this easement no longer necessary.

8. Consider various recommendations from the Utility Committee:

- a. Recommend staff’s recommendation (staff report dated 9/6) relative to establishment of an In Lieu Development Impact Fee for dwellings built in Maricopa County but request City service, be approved.

Councilmember Whalen, who serves as Chairman of the Utility Committee, addressed the Council relative to this agenda item. Councilmember Whalen explained that approximately 50 square miles of land currently exist within Mesa’s strip-annexation boundaries outside the corporate limits, and with the exception of a small area that is serviced by the Arizona Water Company, the remaining land is within the City’s utility service area. Councilmember Whalen commented that previous City Councils have established terms and conditions for the sale of Mesa utilities, and such terms and conditions have ensured that land which is developed under the jurisdiction of Maricopa County shall not have the benefit of Mesa utility services without full compliance with the City’s development regulations.

Councilmember Whalen noted that during the presentation before the Utility Committee, staff acknowledged the need to provide additional input to the Committee once appropriate “In Lieu

Fees” are established; that such fees would be collected at the time the utilities are requested, and the fact that staff would use an individual’s acreage, frontage and other elements to develop a fee that is not tied to a specific completion date with regard to improvements.

Councilmember Whalen clarified that it is the recommendation of the Utility Committee that staff be directed to proceed with the development of “In Lieu Fees,” which will be presented to the Utility Committee for review. Councilmember Whalen added that after careful review of the proposed rates and adjustments, the Utility Committee will forward its recommendation to the full Council.

Councilmember Jaffa expressed concerns regarding the great divergence in development standards between Maricopa County and the City of Mesa and added that the situation will continue to worsen as development occurs in the County, but within the City’s planning area. Councilmember Jaffa spoke in support of staff’s recommendation and also emphasized the importance of establishing a dialogue between the Council and the Maricopa County Board of Supervisors to further explore this issue.

Councilmember Walters, who also serves as a member of the Utility Committee, discussed the complexities of the issue and the fact that “In Lieu” fees will be required at the time of the utility connection and will not be deferred to a future date. Councilmember Walters stated the opinion that staff’s proposal is fair and responsible and addresses the needs of both the property owners and the City.

Councilmember Whalen clarified that it is not the intent of the City to recover 100% of the cost of the impact fees, and said that the City is endeavoring to establish a policy that will provide for a reasonable and proportionate share of the costs to be paid by property owners who reside in the County and desire City services.

Carried unanimously.

- b. Recommend staff’s recommendation (staff report dated 9/6) to adhere to the current policy whereby all developers who subdivide land in Maricopa County but request City utility services, be required to install all public works improvements to City standards.

Councilmember Whalen briefly explained, by way of background, that this agenda item pertains to the current process whereby the City requires all developers who subdivide land in Maricopa County resulting in the creation of four or more new lots and who request City utility services, to provide public improvements per City standards. Councilmember Whalen noted that the City of Mesa is more stringent than Maricopa County which does not designate subdivisions until the development of six or more lots or tracts. Councilmember Whalen noted that enforcement of this alternative could be strengthened by amending the current ordinance (Ordinance 3426) to explicitly state this requirement. Councilmember Whalen expressed the opinion that this action would eliminate any misinterpretations by developers resulting from the differences that exist between City and County subdivision regulations.

It was moved by Councilmember Whalen, seconded by Councilmember Kavanaugh, that the recommendations of staff be approved.

Councilmember Jaffa commented on the importance of clarifying that “City standards” continue to evolve, particularly in certain areas of the City such as the Desert Uplands area, and discussed the Council's intention to endeavor to adopt standards that meet the expectations of the residents in the affected area.

Councilmember Walters concurred with Councilmember Jaffa's comments.

In response to a question from Councilmember Walters, Development Services Manager Jack Friedline stated that guidance documents exist regarding the Desert Uplands area but added that staff is in the process of considering a variety of options, such as rolled curbing, and indicated their intention to present their recommendations and seek Council guidance regarding this issue within the next few months.

In response to a question from Vice Mayor Davidson, Planning Director Frank Mizner explained that the City's Building Inspections Division meets on a monthly basis with local developers to discuss a variety of issues. Mr. Mizner added that the vast majority of the group represents production builders in the community, and said that individual or smaller builders are prevalent in the Desert Uplands area.

Carried unanimously.

- *c. Recommend denying applicant's request to vary or waive standard requirements established for water service at 8223 East Thomas Road.
- *d. Recommend denying applicant's request to vary or waive standard requirements established for water service at 3547 North 82nd Street.
- *e. Recommend denying applicant's request to vary or waive standard requirements established for water service at 8840 East McDowell Road.
- *f. Recommend denying applicant's request to vary or waive standard requirements established for water service 8841 East Palm Lane.
- *g. Recommend applicant's request to vary from standard rights-of-way dedication be approved pending Fire Department concurrence with proposal and all other standard requirements established for water service at the following locations:
 - 1. 2516 North 84th Way
 - 2. 2517 North 84th Way
 - 3. 2522 North 84th Way
 - 4. 2523 North 84th Way.

9. Items from citizens present.

Mayor Hawker introduced Louis Stradling to the audience and shared his personal observations regarding Mr. Stradling's service as a former member of the Mesa City Council. Mayor Hawker also commended Mr. Stradling for his consistent voting record.

Louis Stradling, 1214 East Greenway Circle, Chairman of the Mesa Constitution Celebration Committee, addressed the Council relative to the organization's annual report. Mr. Stradling

outlined the Committee's participation during Constitution Week (September 17th through 23rd), and commented on the various educational/entertainment activities that occurred. Mr. Stradling informed the Council that he has been called to serve on an 18-month church mission and has submitted his resignation as Chairman of the Mesa Constitution Celebration Committee. Mr. Stradling announced that he is recommending that Dale Langkilde, who has served as Vice Chairman for the past five years, be appointed Chairman in his place.

Mr. Stradling expressed deep appreciation for the opportunity to participate in the development and growth of the City of Mesa.

Mayor Hawker thanked Mr. Stradling for his many years of service to the City of Mesa.

10. Adjournment.

It was moved by Councilmember Pomeroy, seconded by Councilmember Kavanaugh, that the Regular Council Meeting adjourn at 6:08 p.m.

KENO HAWKER, MAYOR

ATTEST:

BARBARA JONES, CITY CLERK

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Council Meeting of the City Council of Mesa, Arizona, held on the 2nd day of October 2000. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this ____ day of _____ 2000

BARBARA JONES, CITY CLERK

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