

COUNCIL MINUTES

January 22, 1996

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 January 22, 1996 at 4:48 P.M.

COUNCIL PRESENT

Mayor Willie Wong
Jerry Boyd
Pat Gilbert
T. Farrell Jensen
Dale Johnson
Joan Payne
Jim Stapley

COUNCIL ABSENT

None

STAFF PRESENT

C.K. Luster
Joan Baier
Wayne Balmer
Kathy Barrett
Neal Beets
Richard Clore
Fred Conway
Mike Hutchinson
Lars Jarvie
Barbara Jones
Sharon Joyce
Harry Kent
Jon Kokanovich
Wayne Korinek
Ron Krosting
Larry Lines
Jeff Martin
Ruth Anne Norris
Ellen Pence
Bryan Raines
Paula Sloan Rivera
Harold Stewart
Mindy White
Ralph Wisz
Larry Woolf
Others

OTHERS PRESENT

Bill Brando
Luule Brando
Mike Graves
Dan Nowicki
Ralph Pew
Tom Verploegen
Fred Williams
Others

1. Hear and consider a request from the Mesa Arts and Entertainment Alliance, Inc., concerning the performing and visual arts facility.

Mayor Wong advised that several interested parties have discussed constructing a performing arts facility in downtown Mesa and that three tentative proposals have emerged. Mayor Wong

indicated that he recently received a letter from the Mesa Arts and Entertainment Alliance, Inc. requesting a meeting between the interested groups for the purpose of organizing a focused plan of action.

Mayor Wong suggested that the following citizens convene a series of two to four meetings to discuss establishing a performing arts center: Dr. Jim Zaharis, Superintendent of Mesa Public Schools, Dr. Larry Christiansen, President of Mesa Community College, Julie Pace, Chairman of the Downtown Vision Committee, Charles Evans, Chairman of the Mesa Arts and Entertainment Alliance, Carolyn Baecker, representing Action Mesa, Don Strauch, representing the Museum and Cultural Advisory Board and the Mesa Town Center Corporation, Mike Hutchinson, Assistant City Manager, and Pat Gilbert representing the Mesa City Council.

Councilmember Payne suggested that a representative from the Voit Group be included. Mayor Wong recommended that the group initially be limited to the individuals listed, and that following one or more public hearings and a greater focus on one project, other redevelopment groups, such as Voit, begin participating in the process.

The Council concurred with the Mayor's recommendation.

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

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

3. Scheduling of meetings and general information.

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

Tuesday, January 23, 1996, 7:30 A.M. - Redevelopment Committee

Wednesday, January 24, 1996, 12:00 P.M. - Legislative Luncheon

Friday, January 26, 1996, 7:30 A.M. - Study Session

Monday, January 29, 1996, 4:00 P.M. - Candidate Orientation

4. Review items on the agenda for the January 22, 1996 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:

3. Acknowledge receipt of minutes and meetings of various boards and committees and consider action where appropriate.

*h. Police Committee meeting - January 16, 1996

Consider various recommendations pertaining to massage therapy, licensing fees, and regulations.

Vice Mayor Jensen, Chairman of the Police Committee, stated that two options for fees and regulations for massage establishments have been recommended to the Council by the Police Committee. Vice Mayor Jensen expressed the opinion that it may be appropriate to increase the required education hours above what is indicated in the recommendations.

Councilmember Gilbert suggested that the two recommendations from the Police Committee as well as the increased education hours suggested by Vice Mayor Jensen be re-evaluated by staff prior to consideration by the Council.

Councilmember Boyd expressed the opinion that from the discussion it appears the Council could reach consensus on the fees and regulations at this time and that Council action should not be delayed.

In response to a question from Vice Mayor Jensen, City Attorney Neal Beets advised that an ordinance could be drafted to include a phase-in period in which established facilities are provided a specific amount of time to comply with the current City Code. Mr. Beets suggested that he and Tax and Licensing Administrator Larry Lines meet and discuss a reasonable phase-in period.

Councilmember Stapley indicated that he suggested that the fees be greater than those recommended by staff and expressed the opinion that increased fees are necessary for absorbing the cost of paperwork and staff time associated with annual licensing. Councilmember Stapley added the opinion that more substantial fees may also deter those individuals from seeking licensing when they do not intend to operate legitimate establishments.

In response to a question from Councilmember Gilbert, Tax and Licensing Administrator Larry Lines advised that the various City licenses renew annually and that semi-annual licensing does not exist at this time. Mr. Lines added that staff has received positive feedback from citizens concerning staff's proposal for fees and regulations for massage businesses.

Mayor Wong stated that this item will be addressed during the Regular Council Meeting.

*h. Police Committee meeting - January 16, 1996

Recommend that a traffic control program utilizing photo radar be implemented.

Councilmember Gilbert stated that he was recently contacted by a citizen who indicated that photo radar has failed in certain cities where implemented. Councilmember Gilbert said that he indicated to the citizen that he would relay the information to staff for evaluation of occasions in which photo radar has not been effective.

Councilmember Boyd advised that he is a member of the Police Committee and expressed the opinion that photo radar as a traffic enforcement device is worthy of further evaluation and solicitation of public opinion.

Vice Mayor Jensen clarified that the Police Committee's recommendation relative to photo radar is to continue to evaluate its effectiveness and potential use in Mesa for traffic enforcement.

7. Consider the following resolutions:

- *c. Approving and authorizing the City Manager to apply for establishment of a General-Purpose Foreign-Trade Zone in Mesa, Arizona.

Community Development Manager Wayne Balmer provided background information concerning General-Purpose Foreign Trade Zones and expressed the opinion that a Foreign Trade Zone (FTZ) would enhance Mesa's competitiveness in aerospace projects at Williams Gateway Airport. Mr. Balmer added that an FTZ may have other potential benefits throughout the City and that currently the City of Phoenix is the only Valley city with a Foreign Trade Zone.

9. Consider the following cases from the Planning and Zoning Board and possible adoption of the corresponding Ordinances.

- a. **Z95-102** The northwest corner of Elliot Road and Meridian Road. Rezone from AG to AG (Conceptual R1-9, R1-7, R1-9-PAD and R1-7-PAD-DMP) (160± acres). This case involves a conceptual Development Master Plan for residential development. Bojer Land/Ambrock L.P., owner/applicant.

THIS CASE WAS CONTINUED AT THE NOVEMBER 20, 1995 CITY COUNCIL MEETING.

P&Z Recommendation: No recommendation. Procedural denial (Vote 3-3).

Mr. Balmer advised that staff received a letter from the applicant's attorney requesting that this case be withdrawn.

Mayor Wong advised that Zoning Case Z95-102 will be added to the consent agenda for withdrawal.

Mr. Balmer referred to an aerial map of the City with pending zoning requests and current zoning designated. Councilmember Gilbert expressed appreciation to staff for the map. Councilmember Boyd requested that similar maps be provided to the Council when reviewing zoning requests to apprise the Council of other zoning requests in the area.

- f. **Z95-114** The 6500 and 6600 blocks of East Delmon Drive. Rezone from R1-9 to R1-7 (4.165 acres). This case involves the development of a 20 lot single residence conventional subdivision. East Valley Free Will Baptist Church, owner; Jack Anderson, applicant.

P&Z Recommendation: Approval with conditions. (Vote 6-0)

Mr. Balmer advised that a legal protest to this case requires a three-quarter vote of the Council to approve. Mr. Balmer stated that the neighbors object to the proposed lot sizes and that one neighbor is concerned that vehicle headlights may shine into the windows of the existing homes. Mr. Balmer stated that two alternatives to Planning and Zoning's recommendation have been

proposed by the developer to address the neighbors' concerns, but added that neither alternative is viewed by staff as equal to or better than Planning and Zoning's recommendation.

5. Adjournment.

It was moved by Councilmember Stapley, seconded by Councilmember Johnson, that the meeting adjourn at 5:29 P.M.

Carried unanimously.

WILLIE WONG, 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 22nd day of January, 1996. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 13 day of February 1996

BARBARA JONES, CITY CLERK