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#### **CALL TO ORDER**

[Time: 00:00:06]

Mayor Lane: Good afternoon, everyone. It's nice to have everyone here this afternoon. We are called to order, our August 18<sup>th</sup>, 2014 City Council meeting. We will start with a roll call, please.

#### **ROLL CALL**

[Time: 00:00:13]

Carolyn Jagger: Mayor Jim Lane.

Mayor Lane: Present.

Carolyn Jagger: Vice Mayor Guy Phillips.

Vice Mayor Phillips: Here.

Carolyn Jagger: Councilmembers Suzanne Klapp.

Councilwoman Klapp: Here.

Carolyn Jagger: Virginia Korte.

Councilmember Korte: Here.

Carolyn Jagger: Bob Littlefield.

Councilman Littlefield: Here.

Carolyn Jagger: Linda Milhaven.

Councilwoman Milhaven: Here.

Carolyn Jagger: Dennis Robbins.

Councilman Robbins: Here.

Carolyn Jagger: Acting City Manager Brian Biesemeyer.

Brian Biesemeyer: Here.

Carolyn Jagger: City Attorney Bruce Washburn.

Bruce Washburn: Here.

Carolyn Jagger: City Treasurer Jeff Nichols.

Jeff Nichols: Here.

Carolyn Jagger: City Auditor Sharron Walker.

Sharron Walker: Here.

Carolyn Jagger: And the Clerk is present.

[Time: 00:00:45]

Mayor Lane: Thank you. Just one note of information I wanted to communicate and it's part of the roll call. Our City Manager Fritz Behring is out on medical leave, recovering from some complications from surgery. We have hopes of him returning around the end of September. We wish him a speedy recovery. In the meantime, we have Brian Biesemeyer here and he will continue to serve as the Acting City Manager in the time of Fritz's absence.

Just a couple of orders of business. We do have speaking cards, and written speaking cards, these cards actually speak on themselves. If you would like to speak on any couple on the agenda or in Public Comment, we have the white cards for you to fill out so you can do just exactly that. And we do have yellow cards too that if you would like to write down some comments on any of the items on

the agenda, we will, you can fill those out and we will read those during the course of the proceedings.

Oh, we have one-year anniversary, actually from something that we have held in some high regard. The City of Scottsdale encourages those engaged in the discussion of public issues to adhere to the principles of civil dialogue. Approximately one year ago, we passed a resolution officially, adopting these principles and recently had those principles added to our speaker cards. So we certainly hope and wish that everyone abides by that. We think it's important in order to maintain a great environment to exchange ideas and it's to do it in a civil manner. So we have mutual respect for one another on all sides. So very much appreciate your adherence to that policy.

Today we have Scottsdale police officers Dave Pubins and Jason Glenn, they are almost directly in front of me, this on the upper deck there. And the areas behind the Council dais are for staff and Council access only. There are restrooms here under the exit sign. For some reason, we never did replace the rest room sign over there, but nevertheless, it's over there to my left for your convenience.

#### **PLEDGE OF ALLEGIANCE**

[Time: 00:03:08]

Mayor Lane: Today, we have a very special Pledge of Allegiance and I'm happy to welcome Scottsdale's very own State Champion All-Stars from Cal Ripken Little League. These kids placed third in the eight and under kids pitch division when they represented Arizona at the regional tournament in Long Beach, California. Diego Chavez and Tyler Hanson were named to the All Region All-Stars. Diego and Tyler, can you stand up or raise your hands, just so we can acknowledge you? Very good. Very good. Specifically that. Today, they are joined by their coaches, Evan Terry, Doug Saunders and Jeff Trillo. Great job, boys, all the way around and congratulations for moving into that category of things, and for the great representation you have given for the City of Scottsdale and the state of Arizona and what you have done. Great job and let's give them a round of applause all together. Thank you, boys. You are welcome to hang around if you like but are you going come on up and introduce yourself. In this particular case, we will ask you, let's get the microphone turned around so you can face the crowd. Oh, I'm sorry. We'll start with that. After they have done that successfully, then they will introduce themselves. Any time you are ready, please, lead us in the pledge.

I pledge allegiance to the flag of the United States of America and to the republic for which it stands, one nation, under God, indivisibility, with liberty and justice for all.

Mayor Lane: Thank you, gentlemen. And if you will, please now we'll turn that microphone around so you are facing the audience and if you could introduce yourselves.

Cal Ripken Little League State Champion All-Stars: My name is Jason. My school is Wildfire, and my position is pitcher, and I play second base too. My name is Michael Saunders and I go to St. John the 23<sup>rd</sup> and I play catcher. My name is Rohan and I go to Copper Canyon. I play second base. I'm T.J. Stodemyer, I go to Cherokee and I play center field. My name is Trey Moore, I go to Anasazi and I

play right field. My name is Taylor, I go to Copper Canyon and I play pitcher. My name is Tyler Hanson, I go to Cochise, and I play first and pitcher. My name is Brodie Cook, shortstop. My name is Drew and I go to Boulder Creek and I'm the designated hitter.

Coach Saunders: Mayor, Councilmembers we appreciate you recognizing us and letting us come in here to really recognize the boys. So on behalf of the coaches, the Cal Ripken, Scottsdale Cal Ripken, the Arizona State Cal Ripken, we have a little present for the Mayor. A Scottsdale official All-Stars jersey that we would like to hand out to him.

Mayor Lane: Thank you very much. I very much appreciate that and it's great to have you here and to have this ability to give some recognition to a fine team.

**INVOCATION**

[Time: 00:07:23]

Mayor Lane: Well, at this point in time, we are ready for the invocation, and we welcome Debbie DiCarlo from the Catholic Charities to provide tonight's invocation.

Debbie DiCarlo: Thank you, Mayor and Councilmembers, for this opportunity to provide an inspirational start to your meeting.

My name is Debbie DiCarlo and I'm a representative of Catholic Charities Community Services, a nonprofit whose mission is to serve all in our community, especially those who are vulnerable. And we appreciate and celebrate the values and the mission of this City Council. Let us open.

God of justice and mercy, thank you for the gift of life and the opportunity to serve the people of this city. Help us to act with character and conviction. Help us to listen with understanding and goodwill. Help us to speak with charity and restraint. May we learn to honor and enjoy our diversity and our differences as a people. Even as we more deeply touch our fundamental unity. Give us a spirit of service. Remind us that we are stewards of the common good. Guide us to be leaders in our community. Help us to see the humanity and the dignity of those who disagree with us, and to treat all persons, no matter how weak or poor with reverence. May you as our leaders inspire those you govern so we can build and affirm the good in our community and work to enhance the City of Scottsdale. And finally, renew in us the strength of your presence and the joy of helping to build a community worthy of the human person. Amen.

Mayor Lane: Amen. Thank you, Debbie.

**MAYOR'S REPORT**

[Time: 00:09:32]

Mayor Lane: I would have to say our next order of business is my report on some of the things that

have been happening here in the city and recent time and they actually do go a little bit to that fundamental unity among humankind, if you will. And let me just start by saying last November, I signed a baseball exchange proclamation with Tainan City, the baseball capital of Taiwan. This was in an effort on the overall for a number of years to try to entice some of the Asian teams to come and participate in spring training here with MLB and we've had some success in some of the exchange, at least from that part of the world. But nevertheless, this is an added item.

And this week, we've had our first visitors as a result of those efforts. Tainan City's Little League team, and they are visiting here in Scottsdale for training, practice and touring some of the Scottsdale finest facilities. They played with five Scottsdale Little League teams, Cal Ripken, McCormick Ranch, Mountain View, Arcadia and the Nokona club team. Gentlemen, yes, if you could please come forward, we would appreciate it. Remember the song, no, just kidding. But the tournament was a big success. They are here with their coaches and, in fact, Principal Hung Jung Chin, the gentleman that I met and visited in their school this past November as well. But the tournament was a big success and our local Little Leagues hope very much to be able to travel to China for the same opportunity, something we'll be discussing with the Mayor of Tainan later this week.

I'm pleased to introduce the Tainan Little League team and their coaches here in front of you. I think they have had a great time here, along with the principal as I introduced and this exchange couldn't have taken place without the kind and valuable support of our community. So I want to give special thanks to Tom Silverman and Chaparral Suites, the Scottsdale Charros, Rose Law Firm, Frank Johnson, the owner of the Chick-Fil-A restaurant on Shea and 90<sup>th</sup> Street, Scottsdale Business Development Forum, Scottsdale Police and Fire, where the boys just today had an interactive tour. You know, I didn't get a chance to talk about that earlier, but nevertheless, probably another highlight of the visit here, to be able to do some of the, work with some of their equipment in a safe kind of way. But in our own Parks and Recreation department, who hosted this weekend's tournament, and from what I understand, provided an excellent diversion from baseball with a trip to the McDowell Mountain Ranch Aquatic Center where the boys were for a couple of hours, and we are nearly had to pull them away from the place. But they had a tight schedule and they were able to do exactly that.

You know, exchanges like this are really, I think, a great play for the City of Scottsdale and the international scene. We do have a great international reputation on a lot of different levels and certainly in medicine and in commerce of all sorts, but also in sports. And I think this is really provides a great opportunity for our parents and our students and ballplayers to get together now on somewhat of an international field of play in baseball. I don't know if any of you in the audience had an opportunity to actually see one of the games but they were terrific games and great competition and great camaraderie, as they spent one evening for an ice cream social, if you will, determining how much in the way of hot sauce and other peppers that they could mix in with the ice cream and see who would eat it. But they actually took it upon themselves to start using applications on their iPhones to translate to each other.

A very interesting sort of development in international affairs. So we are just as pleased as we can be to have them here and certainly to have them playing. And tonight the boys are headed over to Scottsdale stadium where the Reds and the Giants farm teams go head to head. The event is free

and open to the public. They will be there for that. I would love for you to give them a nice and great welcoming round of applause. That would be just fine. Keep it down, remember, this is civil discourse here. She's last in line. Celia Lee has been a huge, huge element in this whole thing. She's worked for us for a number of years on the Asian community and that interaction. So thank you very much for all you have done.

**PUBLIC COMMENT**

[Time: 00:15:53]

Mayor Lane: The next order of business is the Public Comment. It's non-agendized items in which no official Council action is taking on these items. Speakers are limited to three minutes each with a maximum of five speakers. There's an opportunity at the end of the meeting for additional Public Comment if it's called for. Right now we have one request for Public Comment and it's Angela Ashley.

[Time: 00:16:30]

Angela Ashley: Mayor Lane, Councilmembers and attorney Washburn, my name is Angela Ashley, and I live in the Buenavante subdivision in Scottsdale. I want to thank you for the opportunity to provide you with these petitions, both online and the traditional hard copies with nearly 300 signatures of concerned Scottsdale residents also with many of their comments on this topic of sober homes. In the packets I presented to you, you will find zoning ordinances from Chino Valley, Gilbert and Prescott, as well as sober homes study done for the city of Minneapolis. It's quite comprehensive and there's other research items in the packet. I don't want to overwhelm you with so much paperwork but I wanted you to have sufficient information on sober houses. Two years ago, a family in Buenavante found it necessary to move away from the friends and the neighborhood they loved.

They lived across from a sober home in Buenavante. They reported many troubling incidents coming out of that home and they feared for their young children, so they moved away. On separate occasions, residents in that neighborhood reported seeing men shooting up drugs outside the home. That home is now under new management of Carla Vista Sober Homes and it appears the new manager, Gonzalo, is more considerate of the residents in the area. Most people, including myself, had never heard of sober homes and when residents learned that a sober home was operating in Buenavante, residents were concerned what is a sober home?

A sober home is a residential dwelling, typically a single family home where individuals recovering from drug and alcohol abuse choose to live for three to six months as a transition back to society from rehabilitation facilities or even jailed. Sober homes are not licensed, not certified or in any other way regulated by the state or federal government. They do not operate as a behavioral health facility, and generally do not provide on-site formal services or treatment. Some have no structure or supervision. There are no standards by which these homes are defined, regulated or operate. Setting up a sober home can be as simple as renting or leasing a home in a residential neighborhood to

where sober living organization with individuals who self-pay and promise to stay clean and sober. There is no requirement for a sober home to be certified and there's no enforcement authority. Certification is entirely voluntary on the part of the sober living organization.

Why are we concerned as residents? First, as residents, we fear and have experienced a sober home in our neighborhood that was not supervised or structured. Residents out walking in the morning, as I said, witnessed sober home residents using intravenous drugs outside the house. Second, traffic and parking in a residential neighborhood can create problems. The sober home in our neighborhood has nine male residents and most days there can be six to nine cars parked in the driveway or even on the street. Thirdly, homeowners are concerned because the lack of zoning ordinances for sober homes could cause an overconcentration of these houses in our subdivision, since foreclosed homes are prime real estate for a sober home. Lastly, parents have expressed concern that the sober home in Buenavante is less than 700 feet from the elementary school, Sonoran Sky, that is located here.

Mayor Lane: Ms. Ashley, if you would, we have exceeded the time.

Angela Ashley: All done?

Mayor Lane: Yeah.

Angela Ashley: Oh, okay. In closing, I guess we're asking the Council to take a proactive approach to sober home issues like many other cities in Arizona. Thank you.

Mayor Lane: Thank you, Ms. Ashley. We will be considering that at the end of this meeting. That is the only request for Public Comment.

## **MINUTES**

[Time: 00:21:35]

Mayor Lane: I will move on to the next order of business which would be the approval of minutes. I would see if there are any questions or adds or deletes to the minutes as they were presented to them. Seeing none, I would ask for a motion to approve the Work Study Session Minutes of June 10<sup>th</sup>, the Special Meeting Minutes of June 17<sup>th</sup>, July 1<sup>st</sup>, and 2<sup>nd</sup>, and the Regular Meeting Minutes of June 17<sup>th</sup>, July 1<sup>st</sup>, and July 2<sup>nd</sup>. And the Executive Session Minutes of June 3<sup>rd</sup>, July 1<sup>st</sup>, and July 2<sup>nd</sup>.

Councilman Robbins: Mayor, I move to approve.

Councilwoman Milhaven: Second.

Mayor Lane: A motion has been moved to approve and seconded. It seems there are no further comments on that. We are then ready to vote. All of those in favor of votes as indicated, please vote aye and those opposed with a nay. Motion passes unanimously, 7-0.

**CONSENT AGENDA**

[Time: 00:23:43]

Mayor Lane: Okay next order of business is Consent items 1 through 26. If there are any questions from the dais, there are no requests from the public for public testimony on any of those items. If there's any other questions to be raised at this point in time, raise them now, otherwise I would accept a motion to approve Consent items 1 through 26.

Councilmember Korte: Mayor?

Mayor Lane: Yes.

Councilmember Korte: I move to accept Consent Agenda items 1 through 26.

Vice Mayor Phillips: Second.

Mayor Lane: Motion has been made and seconded. Seeing that there's no further comment on that, we are then ready to vote. All of those in favor of accepting Consent items 1 through 26, these register your vote by aye. Consent items are approved. So if you are here for the Consent items, you can stay with us. It doesn't look like there's much further going on, but nonetheless, if you could leave quietly.

**REGULAR AGENDA**

[Time: 00:23:46]

Mayor Lane: The singular or Regular Agenda item we had, item 27 was removed at the request of the applicant. They have that opportunity. Item 27 has been removed from the Regular Agenda and is not on tonight's agenda. There's no further Public Comment.

**CITIZEN PETITIONS**

[Time: 00:24:11]

Mayor Lane: We have been in receipt of the petition. That's the next order of business. And do we have it in front of us, as well as the presentation that was given to us by Ms. Ashley. Do we have any comments? It looks like we do. Let's start with Councilman Littlefield.

Councilman Littlefield: I move we direct the City Manager to study this and get back to us.

Mayor Lane: A motion has been made and seconded. Would you like to like to speak to it at all? Okay. Then motion has been made to give it to the City Manager for review, and to report back to

us, please, on this. That's the motion on the table. All those in favor, please indicate by aye. Those opposed with a nay. Aye. Motion passes unanimously.

**ADJOURNMENT**

[Time: 00:25:08]

Mayor Lane: So we'll be done. And that is nearly a record time, other than some special items.

Councilman Littlefield: Move to adjourn.

Mayor Lane: We have a motion to adjourn and a second. All those in favor, aye. We are adjourned. Thank you very much.