SUMMARIZED MINUTES
SCOTTSDALE CITY COUNCIL
WORK STUDY SESSION
TUESDAY, SEPTEMBER 13, 2005

CITY HALL KIVA
3939 N. DRINKWATER BOULEVARD
SCOTTSDALE, AZ 85251

CALL TO ORDER

Mayor Manross called to order a Work Study Session of the Scottsdale City Council on Tuesday, September 13, 2005 in the Kiva, City Hall, at 5:09 P.M.

ROLL CALL

Present: Mayor Mary Manross
Vice Mayor Betty Drake
Council Members Wayne Ecton, W.J. "Jim" Lane,
Robert Littlefield, Ron McCullagh, and Kevin Osterman

Also Present: City Manager Jan Dolan
Acting City Attorney Deborah Robberson
City Clerk Carolyn Jagger

PRESENTATIONS/INFORMATION UPDATES

- National League of Cities Race Equality Week Proclamation, September 26 through September 30, 2005
- Citizens were encouraged to respond to Census Surveys if they receive one

PUBLIC COMMENT

Howard Myers, 6631 E. Horned Owl Trail, 85262, discussed issues associated with the rural areas of northern Scottsdale, such as helicopter landings, blocked washes and trails, trash piles, NAOS violations, sign violations, AVTs on trails, etc., and requested that a full-time inspector be dedicated to the northern part of the City.

NOTE IN ACCORDANCE WITH PROVISIONS OF THE ARIZONA REVISED STATUTES THE SUMMARIZED MINUTES OF CITY COUNCIL MEETINGS ARE NOT VERBATIM TRANSCRIPTS. ONLY THE ACTIONS TAKEN AND DISCUSSION APPEARING WITH QUOTATION MARKS ARE VERBATIM. DIGITAL RECORDINGS OF CITY COUNCIL MEETINGS ARE ON FILE IN THE CITY CLERK'S OFFICE.

PUBLIC COMMENT (Continued)

Felicia Mullett, 7820 E. Willetta, 85257, expressed gratitude for the changes in her neighborhood due to increased code enforcement. Ms. Mullett feels code enforcement is vital to the health and integrity of the community.

John Anderson, 7526 E. Beatrice, 85257, applauded code enforcement staff for their efforts, and said he had discussed changing some of the rules with them.

Patty Badenoch, 5027 N. 71st Place, 85253, expressed concern about a residence openly selling cars in her neighborhood. Ms. Badenoch believes the City consistently turns a blind eye to this property, and stated a neighboring realtor encourages and promotes business on Scottsdale Road north of Chaparral. She encouraged the Council to hire more than 14 code enforcement inspectors.

Mayor Manross closed public testimony.

1. **Code Enforcement Program Update**
   Work Study Item: Overview of activities and procedures in Code Enforcement, as well as program modifications, enhancements and outcomes of the last year.
   Related Policies, References: City of Scottsdale Zoning Ordinance, Property Maintenance Ordinance, Sign Ordinance, Solid Waste Ordinance and Housing Code.
   Staff Contacts: Raun Keagy, Neighborhood Services Director, 480-312-2373, rkeagy@scottsdaleaz.gov; and Malcolm Hankins, Code Enforcement Manager, 480-312-7759, mahankins@scottsdaleaz.gov.

In response to Patti Badenock's statement, Malcolm Hankins, Code Enforcement Manager, stated there are specific steps that must occur in sequence after prescribed time periods. While the legal process is moving forward, it may seem as if nothing is being done to address the problem.

Staff presented an overview of the Code Enforcement Program as follows:

- Code Enforcement Goal
- What is enforced
- Standard Code Enforcement process
- Timeframe guidelines for Notices and Violations
- Tools
- What has been achieved
- Inspector-initiated (proactive) cases (FY 2004/05)
- Examples of property maintenance issues, public nuisances, housing code issues, and graffiti abatement
- Work Plan for 2005/06
  - To meet goals and objectives
  - Improve enforcement consistency
  - Improve staff utilization
  - Proactive scan inspections
  - Enhance public outreach/education
  - Eliminate indicators of decline
- Resources

- Additional steps
  - Update Chapter 17 of Scottsdale Revised Code (October 2005)
  - Review Property Maintenance Ordinance (Fall/Winter 2005)
  - Review Front Yard Parking Ordinance (Fall 2005)
  - "Report of Rental Housing in Scottsdale" document (September 2005)

Council/Staff discussion:

- Councilmembers favored the transition from complaint-based to proactive enforcement.
- As part of their code enforcement initiative, staff confirmed that one inspector is dedicated to the downtown area, which is considered a hot spot.
- Staff explained that Code Enforcement and Planning inspectors have created a partnership to investigate development and code violations in the northern area of the City. Because the majority of concerns in the northern area are Natural Area Open Space (NAOS) violations and Environmentally Sensitive Land Ordinance (ESLO) issues, Planning inspectors serve as first responders to perform initial investigations and issue first notices of violation. If, after the first notice, compliance is not achieved, Code Enforcement will take over the process, as they have citation authority.
- It was suggested that a citizens' committee could help in reporting violations, removing illegal signs, and educating citizens. A staff report was requested regarding this possibility.
- Staff confirmed that weekend roving inspections are now taking place, and that two new inspectors will be assigned to that duty in a few weeks.
- Staff related that all City departments provide good input, but not consistently. In order to encourage staff to provide information, Code Enforcement personnel attend department staff meetings to give mini-training sessions on common code violations.
- Staff stated there is about one inspector for every 1,500 properties in Scottsdale, more per capita than other valley cities. Scottsdale's citizen expectations are higher, and Scottsdale is more proactive than other cities.
- Staff indicated that investigating and documenting home occupations and illegal businesses consume a great deal of the Code Enforcement inspectors' time. Residents may submit photographs depicting violations, but to use those photographs as part of the enforcement records, residents also need to submit a written statement and be available to attend court or administrative hearings.
- Homeowner Associations (HOAs) are governed by their own CC&Rs and/or deed restrictions that can be more restrictive than City ordinances. Code violations throughout the City are uniformly enforced, even if the violation occurs within an area that has an HOA. However, Code Enforcement officials do not enforce HOA deed restrictions.
- The City has a graffiti abatement program to remove graffiti from residential and commercial properties upon request. Exceptions to this program include graffiti along Loop 101, which is the responsibility of the Arizona Department of Transportation, and graffiti on the Salt River Pima Indian Community.

CITY MANAGER'S REPORT - None

MAYOR AND COUNCIL ITEMS

Vice Mayor Drake requested staff agendize public discussion on sexually oriented businesses as soon as possible for the purpose of giving clear direction on development of a new ordinance.

ADJOURNMENT

With no further business to discuss, the Work Study Session adjourned at 6:45 P.M.

SUBMITTED BY:

Sandra K. Dragman

Sandy Dragman
Recording Secretary

REVIEWED BY:

Carolyn Jagger

Carolyn Jagger
City Clerk

Officially approved by the City Council on October 4, 2005

CERTIFICATE

I hereby certify that the foregoing Minutes are a true and correct copy of the Minutes of the Work Study Session of the City Council of Scottsdale, Arizona held on the 13th day of September 2005.

I further certify that the meeting was duly called and held, and that a quorum was present.

DATED this 4th day of October 2005.

CAROLYN JAGGER
City Clerk