

***PLEASE NOTE: Since the Glendale City Council does not take formal action at the Workshops, Workshop minutes are not approved by the City Council.**



**MINUTES OF THE
GLENDALE CITY COUNCIL WORKSHOP SESSION
Council Chambers – Workshop Room
5850 West Glendale Avenue
January 17, 2012
1:30 p.m.**

PRESENT: Mayor Elaine M. Scruggs, Vice Mayor Steven E. Frate and Councilmembers Norma S. Alvarez, Joyce V. Clark, Yvonne J. Knaack, H. Phillip Lieberman, and Manuel D. Martinez,

ALSO PRESENT: Ed Beasley, City Manager; Horatio Skeete, Assistant City Manager; Craig Tindall, City Attorney; and Pamela Hanna, City Clerk

1. COUNCIL ITEMS OF SPECIAL INTEREST

This is the quarterly opportunity for City Council to identify topics of interest they would like the City Manager to research and assess for placement on a future workshop agenda.

On September 6, 2011, Council asked that staff provide information on several items. The following items have been addressed through information provided earlier to Mayor and Council:

- Lobbyists that currently have consulting contracts with the city – This was addressed in a memo to Mayor and Council dated November 22, 2011, from Sherry Schurhammer, Executive Director, Financial Services.
- Utah Compact – This was addressed in a memo to Mayor and Council dated November 28, 2011, from Brent Stoddard, Intergovernmental Programs Director.
- Feral Cats – This was addressed in a memo to Mayor and Council dated November 28, 2011, from Stuart Kent, Executive Director, Public Works.

The remaining items will be addressed at this workshop.

Staff is available to answer any questions regarding the information provided. Staff also requests Council to identify future items of interest for follow-up by staff during the next quarter.

1. Roadside Memorials
Presented by Erik Strunk, Executive Director, Parks, Recreation & Library Services
2. Naming of Public Facilities after Persons
Presented by Kristen Krey, Council Services Administrator
3. Shopping Cart Ordinance
Presented by Sam McAllen, Code Compliance Director
4. Form Committee to work with Arizona Sports and Tourism Authority to entice businesses to Westgate City Center
Presented by Dave McAlindin, Assistant Economic Development Director
5. Moment of Silence Added to Council Agenda
Presented by Pamela Hanna, City Clerk
6. Fireworks Ordinance
Presented by Mark Burdick, Fire Chief

Lobbyists that currently have consulting contracts with the city: Presented by Brent Stoddard, Intergovernmental Programs Director and Steven Methvin, Assistant to the Mayor.

Mayor Scruggs said the first item has to do with lobbyists that currently had consulting contracts with the city. She asked if there were any questions that came up after the memo of November 22, 2011.

Councilmember Clark stated she had a question regarding Van Scoyoc Associates. She asked if staff had any tangible results this company has provided Glendale as a result of their advocacy.

Brent Stoddard, Intergovernmental Programs Director, stated staff usually puts together a memo of the appropriations going back three to four years since at times they get appropriated one year and the city does not expend the funds until another year. Staff will update that memo again in March or April and forward to Council with examples of appropriation funds and the legislative activities the city was helped with. Councilmember Clark asked how long has the city contracted with this company. Mr. Stoddard replied that it had been at least three years. Councilmember Clark noted Council could attribute their advocacy for obtaining funds for the Myrtle Avenue project as one of the tangible results of their contract. Mr. Stoddard replied yes.

Mayor Scruggs commented that she believed they also advocated for the police radio system and that she participated in a video with Congressman Pastor about the project for a Westmarc award he received last year.

Mr. Stoddard replied yes, that was another example of another appropriation they had secured for the city.

Councilmember Lieberman commented he had lunch with the Vice President of the company and had been very pleased to talk with her.

Mr. Beasley interjected stating the contract began in 2007.

Councilmember Alvarez inquired as to how much money they received for the Myrtle project. Mr. Stoddard stated it was in the range of a \$300,000 figure that was secured through the Save Our Cities Treasures under the Department of Interiors. This information will also be provided in their memo to the Council.

Councilmember Alvarez questioned why Glendale was paying more for the West Valley Luke contract in conjunction with 14 other valley cities. She believed Glendale was paying \$65,000 which was not an equal amount. Mr. Steven Methvin, Assistant to the Mayor, stated the total cost for that contract was \$330,000 a year. Glendale, Maricopa County and the City of Phoenix all pay \$65,155 as the largest stakeholders and the remaining communities pay on a per capita basis since the smaller communities would not be able to pay the higher cost. Councilmember Alvarez noted that the city was also not doing very well and believes everyone should pay an equal amount. Councilmember Alvarez asked why this contract was handled in the Mayor's office and not the City Manager' Office. Mr. Methvin explained that the city of Peoria handled the previous contract before Glendale was asked to. He noted that he was designated by the previous Assistant City Manager to be the representative on this through the Mayor's office. He stated he actually reports directly to the Assistant City Manager, not the Mayor.

Councilmember Alvarez asked what Policy Arizona was and what those consultants were for. Mr. Stoddard explained those were contract lobbyists who represent the city of Glendale. Councilmember Alvarez noted their only job for \$6,000 was to provide services in relation to any problem with the Tohono O'odham. Mr. Stoddard replied yes. Councilmember Alvarez inquired why they still had the Husk Partners at \$8,000 per month when the city eliminated them. Mr. Stoddard explained their contract expired on December 31st 2011; therefore they are no longer a contract lobbyist for the city.

Councilmember Lieberman commented on city lobbyists, specifically the Hocking lobbyist who received \$8,000 a month and was not on the list.

Mayor Scruggs asked Mr. Beasley, if he wanted to comment on Councilmember Lieberman's concerns?

Mr. Beasley explained the reason he was not on the list was because he was not a lobbyist, but a financial consultant, as was discussed last week. The firm is TL Hocking and Associates.

Utah Compact: Presented by Brent Stoddard, Intergovernmental Programs Director: Brent Stoddard Intergovernmental Programs Director

Mayor Scruggs said the next item of interest has to do with the Utah Compact. We've received a memo dated November 28, 2011 and a copy of the Utah Compact. Are there any questions on this item?

Councilmember Alvarez questioned why this was not being approved since in her view this was needed in Glendale. She stated she spoke with Mr. Tony Bracamonte, who was a member of the committee. She explained he sent some information for the city to consider adopting this resolution. She noted that most major cities in Arizona are in discussions on this item and would like to see Glendale put this resolution to a vote. She said this compact was designated in order to treat immigrants with more compassion and respect and the city should support that. She believes the city of Glendale should welcome this initiative and it does not cost anything to support it.

Councilmember Martinez remarked this was something he could support; however, Glendale has not had any issues with any abuse of any kind as other cities have. He understands this was a sensitive issue, but for now, Glendale was handling the issue. Councilmember Alvarez noted the city has had problems in the past; however they were not having them now. She believes supporting this resolution shows support for the community and their rights.

Councilmember Lieberman explained he did not know enough about the Utah Compact to comment; however, was aware of the immigration problem around the county. He remembered Councilmember Martinez bringing up the fact that it was his belief that the Hispanic prisoners were receiving more severe sentencing than other people. He added he would like to know more about the compact.

Councilmember Martinez stated he does not recall saying that Hispanics were receiving harsher sentences than others. However, he does recall asking for a record of percentages on crime statistics regarding the Hispanic population versus another race. He wanted to clarify he never said anything about unfair sentencing but rather just asked for information on statistics.

Councilmember Alvarez stated the reason Glendale needs this compact was to officially confirm its respect for the dignity of all people. To protect public safety, support families, support building blocks of successful societies, promote the message that immigrants work, create businesses, pay taxes and shop in Glendale stores. She asked for Council's support on this item that was not costing the city anything.

Mayor Scruggs said she agreed the city does need sensitivity and this has always been a very difficult issue to address fairly – because people have very strong emotions one way or another. She would ask Councilmember Alvarez to recall a time when she was still an employee of the city of Glendale. She continued that Councilmember Alvarez had come to her very upset and demanded that as the Mayor, she have the police chief enforce laws equally, that there were illegal immigrants that were letting chickens run loose in their yards, and not keeping their homes up. Also, there were trucks parked all over and it was giving a bad name to, as she referred to, "Mexicans". And Councilmember Alvarez made it very clear she called them Mexicans. Mayor Scruggs said that it was really not something she could do and Council met in executive session

with the police chief and city manager at the time. She thought the police chief was Chief Dobrotka and he brought out this manual. She couldn't remember the name of it but it's something that police follow that's their rules so that every police officer in the entire force does things exactly the same way. And it was stressed to Council that it's not the elected official's role, authority, nor would it be helpful, it would actually be hurtful, to tell the police department how to do things. So the police department has its ways of responding to community problems.

Mayor Scruggs addressed Councilmember Alvarez reminding her of the meeting she'd requested that was held in one of the "B" rooms and that she brought Margaret Garcia Dugan who was at the time still with the Glendale Union High School District; Mr. Perry, the Superintendent from the Elementary School District, and John and Virginia Flores and you had others. Councilmember Goulet was there, and all expressed their unhappiness not with the harsh treatment of the Hispanic community but the fact that they were being allowed to get away with things that was ruining the image for all Mexican Americans and Councilmember Alvarez had wanted something done about it.

Councilmember Alvarez noted it was not the police department she wanted this enforced with, but rather code compliance.

Mayor Scruggs said no, Councilmember Alvarez, had wanted the police department to treat these people differently and that was the issue, which of course Council could not address as elected officials. Now, she was hearing Councilmember Alvarez say that the city had been mistreating people in the past when in reality she was asking for harsher treatment. So she just might want to go back and revisit what she recalled because she'd known Councilmember Alvarez for many years and Councilmember Alvarez had talked to her often. Mayor Scruggs addressed Councilmember Alvarez saying that she had said the Mexican children need to learn English or they are never going to get ahead in this world and that's what you had to do. And she had a lot of very strong feelings, but getting back to today. Mayor Scruggs continued that Councilmember Alvarez referred to they, and she didn't know who "they" was, but believed it to be a group of her supporters led by Tony Bracamonte, who are saying that all these cities have adopted something. Have they adopted the Utah Compact or they have adopted something else? She would like to see what these other cities have adopted. She would like to know when they adopted it; she'd like to see the form in which they adopted it. She would just suggest that at this time in our society, when this matter is so delicate and so sensitive and in trying to do the right thing, people can often do the wrong thing. She continued that she would like more of a discussion than what is coming through this workshop today. Mayor Scruggs again addressed Councilmember Alvarez, commenting that she had said that Tolleson, Phoenix and Mesa have all adopted something. She wanted to see what they adopted. Also that Scottsdale, Gilbert and a whole bunch of others are studying it, so she would like to see all of that and she'd like to know. It would be fine with her to bring this back for a further discussion after staff does the appropriate research.

Councilmember Alvarez noted that code enforcement was under the police department at that time. She explained they should use code enforcement to help enforce the rules and it was that agency she asked for help, not the police department. She reiterated this compact simply states

the city will respect the immigrants; however, if Council requests more information that was also acceptable.

Mayor Scruggs said she didn't believe code enforcement ever reported to the Glendale police department. And it was a police matter because Chief Dobrotka came in – and she wished that she knew the name of that book the police all carry with them so when a situation occurs they can look on page such and such and there is a rule for it. Council was told they were not to interfere with police matters and there was a section on it. So there are different recollections of that. But what she was saying and there needs to be a consensus here, she was willing to have information presented as to what the other cities have adopted, which Councilmember Alvarez says they've already passed this on to their Councils and adopted it and see how it would apply here. Council needs the additional information from Mr. Stoddard in terms of whether this fits in with the state law. She thought Council needed to have that kind of information. The purpose of Council Items of Special Interest is to bring something forward and then the Council determines a second time whether they want to go forward with something, gathering more information and devoting staff resources.

Councilmember Alvarez stated she understood the process.

Mayor Scruggs said but the request is for Council to approve this today.

Councilmember Alvarez asked for the Council to consider it.

Mayor Scruggs responded she'd said she was considering it.

Councilmember Knaack stated that philosophically she could support this item. However, this was a statewide compact. She indicated her support for Glendale's police department and believes they have not done anything wrong in this manner. She believes this was more for county or state, not city and was not sure they needed a compact. Nevertheless, she would be willing to look at this further and what the constituents think about this compact.

Councilmember Martinez stated he was willing to discuss this further with more information.

Councilmember Lieberman stated he needed more information to make a decision and would suggest a workshop on this matter.

Vice Mayor Frate stated he supports looking into it further. He noted this was a Utah State compact developed by state officials, as well as the whole community, including religious organizations. He explained if they decide to support it that was the way to go.

Councilmember Clark agreed and stated the Utah compact was a statewide effort representing various entities and not a Salt Lake City compact. Therefore this was a statewide effort and a replication should be at a state level not on a community by community level. However, she believes the Council was starting to take a non-issue within the city of Glendale and turn it into an issue. She stated this was not helpful to their community at this point when they have more

pressing things to consider such as jobs, than advocating for a compact that rightfully belongs at the state level. She noted she was willing to look at this further, however, was very concerned with some of the language with the compact itself. The two words that concern her the most were “reasonable policies” which were not defined and what may be reasonable to one person might not be to the other.

Mayor Scruggs said what she had heard was there was consensus from the majority of the Councilmembers that they are willing to get more information. Also, that taking something that is a state document and turning it into a city document was not an appropriate way to go. She’d suggested looking at what these other cities have done and learning more about it. There is a suggestion that it be a broader coalition, not just a city. Mayor Scruggs said she was sure Mr. Beasley’s staff would listen to the tape and be able to use the next three months to put together the information that Council was asking for which would help to guide the Council as to whether to move forward or not. She asked if Mr. Beasley had any questions. Mr. Beasley agreed to provide some background and additional information.

Councilmember Alvarez asked to clarify that this was not about accusations, but rather a tool to work together to make sure this does not happen.

Stray and Feral Cats: Presented by Stuart Kent, Executive Director, Public Works

Mayor Scruggs said the next item to be discussed is information on Stray and Feral Cats. There was a memo provided to the Council dated November 28, 2011 that provided background information on the problem, what has been done to address it by other communities as well as Glendale, the cost and so forth. This was an item requested by Councilmember Alvarez, Mayor Scruggs asked if there were any questions or would she like to discuss it further.

Councilmember Alvarez replied no and added she received the information and was pleased with what the city was doing.

Councilmember Clark stated this was a perfect opportunity to relay some information on this problem so the citizens can learn where to go and which agencies were involved on this issue.

Mayor Scruggs said this kind of gets to something that Council has been talking about the last couple of meetings and that is, the effective use of our website. She was wondering if someone wanted to know the policies of stray and feral cats, if they went to the website and put “feral cats” in the search box, if it would bring people to what is actually happening. Because, Councilmember Clark is absolutely right, the numbers that Mr. Kent talked about in this memo about how many cats there are, would indicate a lot of people were looking for information. So as Councilmember Clark said, is the information being shared as effectively as it could? But did Council want to hear from Mr. Kent? And, how can Council get the word out more effectively to our constituents?

Mr. Kent stated they can provide more information on their website. However, there were many state and county agencies that can be found online. Councilmember Clark explained that the

county currently charges \$96 per cat, which covers three days of housing, as well as the cost of euthanizing and disposal of the cat as needed. Another organization called Trap, Neuter and Return created by various animal rights organizations charges \$15 to \$30 for this service. She asked if staff had the website and information on these organizations. Mr. Kent replied he will be happy to provide both the county and animal rights information on their website; however, staff will need to verify if this was in compliance with the city's endorsements policy before they put it on the site.

Mr. Kent stated the \$96 fee includes the three day housing, which is done to hold an animal to see if an owner will claim it. Therefore a lot of this service relies on the owners and the community.

Mayor Scruggs said that would be a good idea because the cats really are the responsibility of the county. So that would really be the way to go, wouldn't it?

Mr. Kent replied yes.

Councilmember Knaack stated they had done a lot of investigation on this and in fact Sahuaro Ranch was full of feral cats. She explained the program Trap, Neuter and Return does work, but it was a long term solution. She added the citizens also have to be willing to be a part of the solution since it was not the city but the county's problem. She noted that Mr. Tindall had looked into seeing if she would be able to use her Council district funds to help anyone needing assistance with the \$25 fee. She was disappointed that no one had taken her up on her offer to help pay for this.

Mayor Scruggs said feral cats - aren't they dangerous to other animals and people or was she wrong? She thought they carried disease or something?

Councilmember Knaack replied no.

Vice Mayor Frate commented on the Trap, Neuter and Return Program and added the individual has to trap the cat. He added that the cities of Mesa and Peoria previously provided some level of cat collection service, but dropped the program due to cost. He thinks it was great if the city was able to provide that information on their website. He asked for that information so he could include it in his newsletter.

Roadside Memorials: Presented by Erik Strunk, Executive Director, Parks, Recreation & Library Services: Presented by Erik Strunk, Executive Director, Parks, Recreation & Library Services

Mayor Scruggs said the next Item of Special Interest has to do with Roadside Memorials. This is being addressed for the first time here in our workshop Councilmember Clark, this was your item.

Councilmember Clark commented that as stated in the memo, some communities have adopted ordinances to limit the length of time and content of roadside memorials. She would like to know which communities have adopted ordinances as well as what type of ordinances. She noted the city currently has approximately 75 roadside memorials and the city needs to do more than just attempt to prevent any pedestrian or vehicular site obstruction that poses a public safety issue. Mr. Strunk agreed to look further into it and provide additional information.

Councilmember Lieberman stated this was a very sensitive and difficult issue. He mentioned the recent deaths of the five youngsters who were killed in his district. He noted there were already memorials put up along the fence. He also indicated the memorial currently up in his district for Jahessye Shockley, with which he finds no problem. He explained he has received calls both for and against this issue. He said in one instance, the immediate family of the deceased did not want the memorial up because it reminded them of the incident and had called him to take it down. Therefore, he really sees both sides of this issue, but he does not have a solution.

Mayor Scruggs said Councilmember Lieberman brings up an interesting point. If the Council wishes to go further with looking into roadside memorials, she didn't think anyone has ever brought up what he mentioned; that the family of the person who was killed might not want that there and the family should always probably have the final say. She stated everybody assumes that they want the memorial and that is a very interesting point.

Councilmember Clark asked to clarify her point. She stated she was not advocating removal, but rather advocating this be a safe distance away from the roadway, the corner or the curbs.

Mayor Scruggs said but if we are going to have them, then the family should retain the right to say they want to take them down. It was a new thought that she had not heard before.

Mayor Scruggs continued she understood Councilmember Clark would like to see what has been enacted in other cities that address the safety issue so she can see where the Council is on this

Councilmember Knaack remarked she had concerns with glass candle containers and would like to know if that was something that could be addressed. She believes these memorial sites need to be safe and if they are in disrepair, the city needs to remove them.

Vice Mayor Frate noted the Council discussed this issue about four years ago. He commented on several memorials in his district having balloons that were being distractive to drivers. He remarked that code compliance usually removes them if someone calls in a problem.

Mayor Scruggs asked so does that indicate Council would be in favor of asking staff to come back with suggestions regarding what a possible ordinance would look like? Rather than leaving it up to, today this officer feels that way or tomorrow code compliance feels another way.

Vice Mayor Frate replied he would favor a possible ordinance that had a length of time. However, he believes the city was already doing a good job without an ordinance.

Councilmember Martinez stated he would support Councilmember Clark's request for an ordinance. He does not believe there should be a limit set on a memorial for arbitrary removal after a certain time. He commented on several memorials that have been there for 10 years and have been kept up.

Mr. Strunk noted the city did have operating procedures from Park Maintenance and the Right-of-Way division that works with the known site organizer to ensure all public safety and operational concerns are mitigated. Therefore, staff feels confident that should a safety issue arise, they have existing ordinances in place as well as the procedures to enforce or address any issue regarding public safety. Councilmember Clark disagreed and commented on the memorial on 83th Avenue which had been right up against the curb for weeks. She noted she still believes this should at least be codified to provide additional guidance and be applied uniformly throughout the city.

Mayor Scruggs told Councilmember Clark, she supported her in that because these memorials come up because there has been a tragedy in people's family and there's too much opportunity for people in their grief to feel maybe somebody else was given more leniency than they were and so forth. She said that puts our employees or that could put our employees in a very awkward or difficult situation which we do not want to subject them to. It is a very emotional issue, she supports looking at and setting an ordinance that addresses the safety issue. She also supports Councilmember Martinez on there not being a time limit maybe something that addresses disrepair or when things become a hazard and so forth because that would indicate then that maybe the people have moved away, but the ones he's talking about would be in Peoria. And evidently for those people obviously that's important to them to have that there. So aesthetics only if they are going to become dangerous or an impediment, but no time limit, but safety. And it's really more just so people feel everybody is treated the same.

Councilmember Lieberman stated that most of them disappear after a while because people get tired of maintaining them. He supports having some guidelines developed in regards to safety.

Mayor Scruggs thanked staff and asked Mr. Strunk to please pass along the Council's appreciation to the people who deal with this very difficult situation on a regular basis, but Council wants to make things standardized.

Naming of Public Facilities after Persons: Presented by Kristen Krey, Council Services Administrator

Mayor Scruggs said the next item is also an item brought forward by Councilmember Clark. Council received this information for the first time; it has to do with the naming of public facilities after persons.

Councilmember Clark stated that the information provided was self explanatory. However, she would like Council to consider posing this question to two commissions that already exist within Glendale and have them provide some recommendations as to whether they think this is a worthy issue to pursue. They are the Historic Preservation Commission and the Commission on

Neighborhoods. This would give Council a better sense of how the general citizenry feels about this issue.

Councilmember Alvarez asked who in the past has approved the naming of buildings or parks.

Mayor Scruggs said she didn't know but it would be back as far as the 30's, 40's or 50's. She asked Councilmember Clark if she saw a role for our Historical Society in this also.

Councilmember Clark replied she would welcome that as well.

Mayor Scruggs said she would really support including the Historical Society because they have the records and if the Council is going to go forward with anything, they would have some basis for bringing names forward.

Councilmember Knaack commented she did not know when the decision was made not to name buildings after people but agreed strongly with that decision. She noted that in a city this size, there were too many people to choose from and it could become a sensitive issue. She suggested they leave it alone.

Councilmember Martinez agreed with Councilmember Knaack. He indicated this item has come back numerous times. He does not believe the city needs this even if it is run first through a committee since ultimately it will come back to Council. He noted this will become a divisive issue that the Council has to decide to approve or refuse a prominent person that once was dedicated to the community. He does not support this item.

Councilmember Lieberman stated his support of this item and would like to see a plaque of Marty Robbins who was probably the most famous character that ever lived in Glendale. He agreed to set some guidelines to recognize people in the community who helped create Glendale. However, he would like it set up for the individual to be deceased. He remarked on the possibility of city mayors being candidates for parks and buildings.

Councilmember Clark clarified that all she was asking for was this idea to be forwarded to three different groups. They are the Historical Society, the Historic Preservation Commission and the Commission on Neighborhoods, to see if they think it's worthy of pursuit. She continued that she did not want Council to come up with the criteria; she would like these groups to come up with the criteria, if they felt it was worthy of pursuing.

Councilmember Alvarez agreed with Councilmember Clark and believes they do have people who have invested a lot of time into their communities. She was in favor of naming parks, but possibly not a building.

Vice Mayor Frate stated that whatever was done with this issue, someone would not be happy and someone will feel slighted. People might say they know of someone else that was more deserving. He sees no reason to change this policy and ultimately it will come back to Council to

decide and many will not be pleased either way. He remarked he was not comfortable with naming buildings and parks after people.

Councilmember Lieberman commented on some plaques around the city that have been already named after people, namely historical buildings.

Mayor Scruggs said Councilmember Clark's suggestion was, does Council want to refer this on to other people who are stakeholders in our community to ask what they feel about the idea? But not just do you think this is a good idea, she would support this only if it is sent on and say, is this something that the members of the Historical Society, the Historic Preservation Commission and the Commission on Neighborhoods would like to see initiated and if so have them come back with their suggestions? They may not be able to do this in three months and she would support this if the Council gave them more time. So how would they see this envisioned – and maybe the answer is to just talk about what Councilmember Lieberman said, if somebody owns the building, built the building, they get their name on it. Who knows? But get it out of Council's hands; she would even suggest they might like to look at the people from the rotary group who has a sense of community. People who had invested in this community and so forth, as well as our commissions. People come and they go, they change all the time, but if Council was going to reach out to the Historical Society and maybe rotary or some other group like that as well as our commissioners and get their input and ask them for a plan and how they would do it. She supported doing it this way.

Councilmember Clark stated they first have to find out if they were interested in the notion and then if they are interested, they will help create the guidelines.

Mayor Scruggs said if they say they are interested, come back not just with "we're interested". but if they say no, you're going to open a Pandora's Box and it's going to be too much trouble, then they don't have to come up with anything.

Councilmember Lieberman remarked that some of the Councilmembers have their name on some buildings.

Mayor Scruggs said Mr. Skeete she didn't know who on staff he was going to give this to, but the idea is – go out into the broad community – people who have a sense of community and the stakeholders and say – is this something the city should move into? And if yes, how would it look? And if it's no, just come back and say no, they don't like the idea. Mayor Scruggs asked did she frame it correctly for those who are willing to move forward. The majority of Councilmembers agreed with Mayor Scruggs.

Shopping Cart Ordinance: Presented by Sam McAllen, Code Compliance Director

Mayor Scruggs said the next Council Item of Special Interest has to do with a Shopping Cart Ordinance. Again the memo was dated today and this is Vice Mayor Frate's issue. Would you like to discuss this further Vice Mayor?

Vice Mayor Frate stated he has discussed this issue with staff and feels comfortable with how they are addressing it. He believes staff was being proactive with providing the public with contact information for shopping cart retrieval services. He acknowledges that other cities had enacted pilot programs; however, because of the economy and cost, the programs were suspended. Therefore, unless Council had any other input on this item, he was satisfied with the publicity that has been generated by just discussing it. He commented on what other states were doing such as making the public pay a quarter to obtain a cart and getting it back once it was returned.

Form Committee to work with Arizona Sports and Tourism Authority to entice businesses to Westgate City Center: Presented by Dave McAlindin, Assistant Economic Development Director

Mayor Scruggs said the next item then has to do with forming a committee to work with the Arizona Sports and Tourism Authority to entice business to Westgate City Center.

Councilmember Lieberman read from staff's summary stating that according to Mr. Sadler, AZSTA is committed to continuing to be a team player with Glendale, but maintains that the mission of AZSTA is not set up for the authority to engage in business attraction and development. Therefore, staff does not see a benefit to further pursuing any formal discussion with AZSTA. However, strangely, in contrast to what he just read, he and Councilmember Clark had a luncheon with Mr. Sadler and the young lady, who was now the President of AZSTA, who absolutely said they would like us to join them in bringing more business to Glendale. So, he was confused by staff's response and he will ask Mr. Sadler about it.

Councilmember Lieberman commented on not having a top 10 business in the Westgate area. He said this was why Westgate has had problems from the beginning. He noted that Christown Mall had 4 of the top 10 businesses as tenants. He added that Westgate needed assistance recruiting businesses.

Mayor Scruggs agreed that Mr. Sadler should be asked because those same people came and met with her and said that it's not what they want to do, that's not their mission, they have nothing in their charter and they felt there was a misunderstanding. But the question is - do you want to further try to entice them to do this?

Councilmember Clark asked to correct some of Councilmember Lieberman's comments on Westgate. She stated that Westgate has not failed. The restaurants are still there and continue to do well. She indicated what was missing from Westgate was a density of retail and she attributes that to Mr. Ellman's lack of initiative in that area. She stated it was correct Westgate went into bankruptcy, but it did not just blow away and is still very much there. She remarked that just for the record, Westgate was still alive and well.

Mayor Scruggs said she supported Councilmember Clark's comments and more so the design of the core area - which was the first built - was designed to be specialty retail, restaurants, entertainment - that was the design. So she said it was never designed to put a Target Store in the core - that was to come in later stages and unfortunately the developer never got to the later

stages. She continued in some instances the city officials couldn't agree with the developer in terms of what should be in those later stages. And so time passed and the economic situation occurred and now we have what we have. However, she noted that core area was never supposed to have Home Depot in the middle of it or anything of the sort. Yes, maybe a Barnes and Noble type store, but not like a Costco or Target or Home Depot which is what the Spectrum Mall has. She commented we should let Vestar do what Vestar does very, very well and that's what they are going to do at Spectrum and that's what they have done at Desert Ridge and they're going to be bringing in new tenants. The Vestar people really have quite a bit going on in terms of what Councilmember Clark said to bring greater vitality.

Councilmember Lieberman commented that on the original plans for Westgate, they were supposed to have a Home Depot and super stores in between 95th and the 101. Therefore, he cannot agree with Mayor Scruggs. He also remarked on the lack of draw to Westgate. He added he did not believe Westgate was dead, but only having a difficult time.

Mayor Scruggs asked was anyone interested in forming a committee with the AZSTA to work on enticing business to Westgate City Center. This is what the question is today. Is there support? The majority of Councilmembers responded no. Mayor Scruggs said she thought Cabela's refused to go into Westgate, but she'd have to check with Mr. Colson.

Moment of Silence Added to Council Agenda: Presented by Pamela Hanna, City Clerk

Mayor Scruggs said the next Item of Special Interest is a moment of silence added to the Council agenda. Councilmember Lieberman do you have any questions?

Councilmember Lieberman noted it was strange that staff did not offer a recommendation on this item. He believes in this type of dedication to honor the men and women in the military who have died defending their country. He cited the many articles in the newspaper of so many Arizonan's who have died since 2002. He noted if they do not agree to do it as a Council, he will continue to do it himself as he did in the spring.

Councilmember Clark stated she supported a minute of silence, which was done out of respect for the men and women in the armed forces no matter what position it takes at the meeting.

Councilmember Martinez stated he believes it was proper to have a moment of silence, although not for every meeting. He recommends they use the moment of silence to mark tragic events and having the Council mark that event. However, he does not support doing it every time.

Councilmember Alvarez stated she supports the moment of silence at every meeting. She explained that many commissions simply use it as a moment of silence for prayer as well as to think about all the people dying around the city. She added that after all, it was only a minute out of the meeting.

Councilmember Knaack explained she did not have a problem with the moment of silence; however, it did lose something if you do it every time and if you don't have a specific reason for

doing it. She asked to clarify the moment of silence was not a minute but about 15 seconds and would like it done just prior or after the pledge since they were already standing up.

Vice Mayor Frate stated he supports a moment of silence but also believes it loses its importance if they continue to do it at every meeting and tell everyone why they were doing it. He added whatever they decide; they should try and make this sincere and not just routine. He was surprised that only El Mirage and Avondale had a moment of silence.

Mayor Scruggs said Council is equally divided so she would propose what she could support and if those Councilmembers that want a moment of silence can support this, Council will go forward with this, otherwise it will remain divided. She stated it should be every week because otherwise it becomes just like naming the buildings or the parks, why did Council choose their name and Council didn't choose my name, why did Council choose this event but Council didn't choose that event? So it's every week and Council doesn't tell people what to think about during that time as Councilmember Alvarez said, some people may want to say a prayer. Mayor Scruggs said Council has some pretty interesting Council meetings, so maybe some may want to pray a little bit silently ahead of it. Also, it will come right after the pledge as Councilmember Knaack said everyone is already standing up so, and it is a moment, it is not a full minute and unfortunately she would be the one who determines when the moment is up. So if there can be time after the Pledge of Allegiance where everyone is given an opportunity to quietly reflect on whatever it is they want to reflect on whether it is the military, whether it's the police, whether it's what they want to say to their kids when they get home or whatever it is, then she would support that. Is that agreeable to everyone?

Councilmember Lieberman stated he could live with that suggestion.

Mayor Scruggs said so she's not going to say it's for the military and she's not going to say it's for the police, she's not going to say it's for world peace. It's everybody determines among themselves.

Councilmember Clark stated everyone agrees.

Mayor Scruggs said she didn't know if it has to be listed on the agenda, but staff will figure that out for the Pledge of Allegiance and moment of reflection or whatever – maybe moment of reflection – she didn't know however that happens.

Fireworks Ordinance: Presented by Mark Burdick, Fire Chief

Mayor Scruggs said this is the last Item of Interest and it has to do with consideration of developing a fireworks ordinance for the city of Glendale which has been done in other cities. She was going to send an email to the Fire Chief and ask what the incidents were this year with fireworks, but that really doesn't make any difference because she knew what was going on right in her neighborhood. She said fireworks started a 5:00 in the afternoon - somewhere in here it says that current city ordinances prohibited the use of fireworks in public and city owned property – people were in the middle of the streets. She continued it says here that you can only

hold things that don't go flying in the air. There were these round balls of flames flying all over through the trees or whatever. Mayor Scruggs said there were kids out there, little kids, but the Fire Department probably has statistics but she saw it with her own eyes and it was horrifying. She said things were flying over homes, little children were in the streets then where she was at on New Year's Eve, listening to people say "well here we are we brought a lot of fireworks because Glendale does not ban them". So they were all coming to Glendale.

Mayor Scruggs said she felt very strongly that the city needed to have a ban on the use of fireworks and that's what she was asking Council to do. She knew that the Fire Chiefs lobbied heavily against the legislation that went through the year before last. She asked if Chief Burdick would like to add anything.

Mark Burdick, Fire Chief stated the problem with this issue was that fireworks are now for sale so every city they've talked to including the cities that have bans, have horrific enforcement problems. He explained the only concern the city attorney's office has was that the State Statute remains unclear on the ability of cities to completely ban the use of permissible consumer fireworks unless there is a danger of wildfire. However, what they are finding was that of all the cities they talked to, Mesa and Gilbert had the best luck since they allowed fireworks on private property from July 3rd to July 5th and December 31st to the January 1st. This creates a time frame that was easier for enforcement purposes.

Mayor Scruggs asked the Chief, if the Council were to go forward and choose something that sets aside certain days for the use of fireworks, can the city still prohibit the use on public and city-owned properties which, supposedly, the city can do right now with our ordinances. She said there is a lot of confusion – for instance – in Costco and the first thing visible is a whole wall of fireworks. She said that whole distinction has been left and gone. So if the Council were to move forward then the city needs to undertake a public information approach that says "no you can't go stand in the middle of Utopia Road and set off fireworks". Would that be accurate because it would be prohibited on public property?

Chief Burdick agreed and stated her suggestion would help.

Mayor Scruggs said could the city advertise then that these are the only days in which anyone can shoot off fireworks and only on private property?

Chief Burdick replied yes and added most companies don't make an effort to sell fireworks until the big celebration holiday because of the bans in some cities. He noted that from the fire department's perspective anything that can be done to control this issue was a step in the right direction.

Mayor Scruggs said there is a private facility that she lived very close to that thinks they know how to shoot off fireworks and do it on their private property for different parties and weddings or whatever. So if the city had this kind of ban, they don't do it real well a lot of the time, would it apply to them also if the event was not during those certain dates?

Chief Burdick replied no since those are commercial aerial devices. However, anything that explodes or lifts off the ground are regulated and have to come through the Fire Department's process and seek a permit. He indicated today Council was only talking about the law that deals with consumer fireworks.

Mayor Scruggs said she didn't know how they define what they do but she knew on New Year's Eve, there were things flying through the air through many neighborhoods.

Councilmember Clark asked how dangerous are these fireworks that go up into the air. She commented on a neighbor of hers that bought a large quantity of fireworks and shot them off for hours.

Chief Burdick noted they were dangerous and could possibly start a fire if they were to land on a roof top.

Councilmember Clark stated this fact greatly concerned her since this time around without having a ban; it had been a huge problem. She remarked she wanted to address the issue of aerial fireworks. Chief Burdick stated he would do some research and bring back some suggestions. Councilmember Clark asked if they could create a hotline on the days that the public will be allowed use these devices. The hotline should go to the police or fire departments to educate these people if they are in violation of the law.

Councilmember Knaack noted that day had been a no burn day and if they had tested the quality of the air, the city would have lost \$10 million. She asked if the League of Arizona Cities and Towns was addressing this at all. Chief Burdick replied no. Councilmember Knaack explained the problem began when the state passed that legislation.

Mayor Scruggs said Chief Burdick pin pointed one key area that she'd forgotten about it. The city's was 365 days a year so zeroing in on a few key dates would be a huge step.

Mayor Scruggs said she was just stunned – the show of force from the fire services throughout the state was huge and people didn't listen to the very fire services that they have entrusted to protect lives and property and they just ignored it. So she didn't think people would listen to the League of Arizona Cities and Towns – if they wouldn't listen to the trained professionals in whose hands we put our safety in, they probably won't listen to anybody.

Councilmember Lieberman suggested the fire department run classes on the proper use of fireworks. He stated he had mixed emotions when it came to fireworks and their use to celebrate since he had grown up lighting fireworks.

Councilmember Martinez believed Councilmember Lieberman's suggestion to use the fire department for firework classes would not be a proper use of resources. He also commented on his bad experience with fireworks in his neighborhood.

Chief Burdick offered to provide a draft ordinance for Council to review as well as suggestions of some options on whatever the Council may choose.

Mayor Scruggs said she thought for the first time today staff has heard something that everybody's on the same page on. So yes, Council doesn't like what the city has now, Council would like to see an ordinance banning or restricting their use, she assumed to the two relevant time periods. She said also and this wouldn't – well it could be the Fire Department's piece because it has a very adept and productive public information group, so massive advertising and that probably could come out of fire administration rather than the marketing department that was busy with other things. So how was the city going to get that word out?

Councilmember Clark asked for some type of reporting mechanism for those two days.

Mayor Scruggs directed some thought be put in if there should be some sort of call-ins because if all the neighbors see one neighbor that's putting them in fear and there are ones that did that – or what amazed her was allowing their children to be in the middle of the street with these spinning things. Mayor Scruggs directed Chief Burdick to come back with this the next time there are Council Items of Special Interest. She asked if anybody had anything else they would like to say?

Vice Mayor Frate stated that thank God nothing happened since it was inevitable that there be a fire at some point. He noted it was always after something bad happens that wakes people up.

Mayor Scruggs said she thought there was a fire caused by these fireworks as well as in other cities.

Chief Burdick stated he will compile that information as well.

New Council Items of Special Interest

Mayor Scruggs said now she would go around the table and ask for each Councilmembers Items of Special Interest for the next time this comes forward.

Councilmember Alvarez asked for information and discussion for placing the “Public Input” at the beginning of the council meetings and agendas.

Councilmember Lieberman asked for information on the following:

1. Moving the “Public Input” section to the beginning of the meeting.
2. Information about finishing the Adult Center.
3. Plaques to memorialize people. Specifically a Marty Robbins plaque.
4. A report on the finances on Camelback Ranch.
5. Move forward with planning dinners with other cities.

Mayor Scruggs asked for clarification on the dinner item. She continued that the Council had just heard this about six months ago. Councilmember Lieberman advised that he was not satisfied with the information provided previously.

Councilmember Martinez asked for information to institute a Security Lock Box program where homeowners would have house keys in the lock box and emergency workers would be able to access the key.

Councilmember Knaack asked that all items be postponed so that staff may focus on the budget.

Councilmember Clark agreed with Councilmember Knaack to postpone these items to be brought back to Council in six months instead of three to make sure staff devotes the time necessary to the budget.

Mayor Scruggs asked if Council was agreeable to seeing the answers to these items when they came back after summer break. She continued that she was alright with that too. She was looking forward to Council having the meetings they talked about at our retreat beginning the 1st of February to talk about the budget. Mayor Scruggs said that is the most important thing. These meetings would even address whether the city can build the second floor of the Adult Center. Okay if there is nothing else, this meeting is adjourned.

ADJOURNMENT

The meeting was adjourned at 3:40 p.m.