

**\*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  
CITY OF GLENDALE  
CITY COUNCIL WORKSHOP  
APRIL 4, 2006  
1:30 P.M.**

**PRESENT:** Mayor Elaine M. Scruggs, Vice Mayor Thomas R. Eggleston, and Councilmembers Joyce V. Clark, Steven E. Frate, David M. Goulet, H. Phillip Lieberman, and Manuel D. Martinez

**ALSO PRESENT:** Ed Beasley, City Manager; Pam Kavanaugh, Assistant City Manager; Craig Tindall, City Attorney; and Pamela Hanna, City Clerk

**1. COUNCIL ITEMS OF SPECIAL INTEREST**

CITY STAFF PRESENTING THIS ITEM: Mr. Ed Beasley, City Manager.

Also Present: Mr. Steven Conrad, Police Chief; Ms. Julie Frisoni, Communications Director and Mr. Jerry McCoy, Marketing and Communications Administrator; Mr. Jamsheed Mehta, Transportation Director; and Mr. Jon Froke, AICP, Planning Director

This is a request for the City Council to provide staff specific direction regarding further action on the items of special interest that were identified at the January 3, 2006 workshop.

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

In the fall of 2002, the Council approved a procedural guideline allowing for topics of special interest to be identified by Council on a quarterly basis for follow-up by the City Manager.

At the January 3, 2006 workshop, Mayor Scruggs requested members of the Council to provide staff with direction concerning any items of special interest that the Council would like to have addressed at the April 4, 2006 workshop. On March 29, 2006, staff provided the Council with the requested information by memo.

Staff requests the Council to provide specific direction for further action on the items identified at the January 3, 2006 workshop. Staff further requests the Council to identify items of interest for follow-up by staff during the next quarter.

### Pseudoephedrine

Mayor Scruggs said the document drafted concerning pseudoephedrine was the most comprehensive she has ever seen, suggesting it is worthy of publication.

Councilmember Martinez agreed, stating he complimented Chief Becker on the document as well. He said the document answered his question concerning the need for an ordinance.

Mayor Scruggs asked Chief Conrad to give a recap of the federal law. Chief Conrad explained Congress recently amended the Controlled Substances Act in their renewal of the Patriot Act, placing additional restrictions on the sale of pseudoephedrine that apply to all local jurisdictions. He said they closed a loophole concerning liquid forms of pseudoephedrine by mandating that records be kept and limits placed on the amount of the chemical purchased in either its solid or liquid form. He said the law requires that all sales be handled through a licensee. He noted Glendale has 51 pharmacies and 156 convenience and nutrition stores that would be able to acquire the medication through a pharmacy. He stated the federal law goes on to require that a log be kept documenting the purchaser's name, address and other identifying information as well as the type and quantities of pseudoephedrine purchased. He said the federal law restricts the amount of pseudoephedrine a person can purchase within specific time periods, including amounts purchased over the internet, and requires that all forms of the product be stored behind a locked counter. He said Glendale has seen a decrease in the number of meth labs; with only two clandestine labs and two equipment dump sites discovered in the past year. He stated, however, there has been an increase in the amount of methamphetamine coming across the border.

Councilmember Martinez asked if local jurisdictions will be empowered to enforce the federal law. Chief Conrad said not under the federal law, but under the state law local jurisdictions would be able to report violations to the Drug Enforcement Administration. He stated they are working with retailers within the community to ensure they are familiar with the restrictions and possible penalties under the federal law.

Mayor Scruggs pointed out, however, the Glendale Police Department will have authority to inspect pharmacy logs and report any irregularities it finds. Chief Conrad agreed, stating the ability to inspect the logs will also allow them to collect investigative leads.

In response to Vice Mayor Eggleston's question, Chief Conrad said under the state law the Police Department could cite or arrest a person for being in possession of more than 24 grams of pseudoephedrine. He confirmed retail stores are required under the federal law to keep all forms of the medications behind locked cabinets.

Mayor Scruggs asked how the Glendale Police Department will go about educating the residents and local retailers. Chief Conrad said their efforts will focus primarily on educating local retail establishments, explaining those efforts will begin once they get more information from the Drug Enforcement Administration. Mayor Scruggs suggested they work with the city's Marketing and Communication's Department to distribute information to the various media outlets.

### BB Guns

Councilmember Clark thanked Chief Conrad for a memo she received concerning the BB gun issue she mentioned during a previous meeting. She said she was pleased to learn the city already has sufficient statute to address the problem. She asked Chief Conrad to explain the fine that could be assessed for the discharge of any weapon within the city's limits. Chief Conrad said Section 26-58 of the City Code prohibits the discharge of any type of gun within the city limits, including air guns, bb guns, pellet guns, dart guns, gas operated guns, spring guns, or other instrument. He said a violation is classified as a Class I Misdemeanor subject to a maximum fine of \$2,500 and forfeiture of the gun or other instrument to the city. He noted a person who actually shoots another person would be subject to charges of assault. Councilmember Clark said people often think of bb guns as toys, despite their ability to cause injury if misused. She asked if the statute also covers paintball guns. Chief Conrad responded yes, noting there are exceptions for law enforcement officers, licensed shooting galleries, and others holding a valid licensed permit from the Chief. Councilmember Clark summarized, stating bb guns are not toys and anyone caught firing one within the city's limits is subject to the same penalties as if they fired any other kind of gun.

### Sex Offender Registration Notification

Mayor Scruggs said the legislation concerning sex offender registration notification is very detailed and complex. She asked if the Police Department would be comfortable working with the city's Neighborhood Partnership Office to disseminate the information to every single homeowners association and registered neighborhood group.

Councilmember Lieberman suggested they do something on Channel 11.

Mayor Scruggs said they could also put the information on the city's website. Chief Conrad said he will follow up on each of the suggestions.

Councilmember Martinez said he was disappointed to learn that there are no restrictions on where a registered sex offender can live. He stated a sex offender moved into a neighborhood last year and a neighborhood meeting was held. He said one of the comments he heard was that residents had not received a notification due, possibly, to financial constraints that limited the notification area. He suggested they look at notification requirements to ensure they are sufficient, stating they should certainly be no less strict than those used by the Planning Department. Chief Conrad said he would be surprised if money was used as a reason to limit notification. He

stated they are required by law to make certain notification to the surrounding neighborhood and area schools with 45 days of first learning of a sex offender moving into a neighborhood. He showed examples of the notification fliers used depending on the level of the sex offender, noting one side is produced in English and the other is in Spanish. He pointed out the flier also notifies residents that it is not unlawful for a registered sex offender to live in the neighborhood as long as they comply with the terms of their parole or probation and notify the Sheriff's Office when they move to a new location. He stated all media outlets are also notified when an offender moves into a neighborhood. Councilmember Martinez clarified in the example he spoke of notification was given, but residents felt the notification area was limited. He noted the offender in that case was later picked up for a parole violation and is no longer living in the neighborhood.

Mayor Scruggs said people are very upset when they receive the notifications, but they are even more upset when they learn about it on television. She pointed out a judge has discretion in terms requiring juveniles to register.

Councilmember Clark suggested they copy all notices to the Council Member for the district in which the offender lives.

Mayor Scruggs asked that copies also be sent to her office.

Chief Conrad complimented his staff, stating they did an excellent job of compiling the information.

### Special Events

Councilmember Goulet referenced a memo on special events, stating, while he believes the city's special events are of very high quality, he is concerned about the appropriateness of some of the music. Ms. Frisoni agreed it has been an issue. She stated she and Jerry McCoy are now responsible for special events and they are committed to talking with the Council as well as the performers before an event to ensure the music will be appropriate.

Councilmember Lieberman noted several people complained to him after last year's Jazz Festival that they came expecting to hear jazz and instead heard rhythm and blues and rock and roll. Mr. McCoy noted the event was changed about five years ago to a Jazz and Blues Festival. Ms. Frisoni asked Council members to pass any comments they receive on to her department, stating any performer who performs or behaves in an inappropriate manner will not be allowed to participate in future events.

Councilmember Frate said he heard a lot of comments during Glitter and Glow and the Enchanted Evenings concerning the neon ball, explaining people felt it was out of character with Glendale's historic downtown.

Mayor Scruggs said they want the events to be true to their tradition.

## Marty Robbins

Councilmember Lieberman reported Glendale has permission as a city to use Marty Robbins' name, stating a number of citizens are very interested in erecting a plaque or naming the bridge over Grand Avenue in his honor. He noted the citizens group will begin attending Council meetings in the near future calling for the city to honor the legendary singer in some way.

Mayor Scruggs asked what role the City Council has in this particular issue.

Councilmember Frate pointed out the city does not own the bridge. Mr. Mehta agreed, stating the bridge is owned by ADOT. He explained an application would have to be sent to the Geographic and Historic Names Board of the State of Arizona.

Mayor Scruggs stated Grand Avenue was named such in 1888 by the founder of Glendale and Glendale is a city that prides itself on historic preservation. She expressed her opinion the effort that has been spearheaded by a few individuals should be based on more than the idea that it will attract more tourists. She said she finds it difficult to overturn a landmark from 1888 because people are fans of Marty Robbins. She acknowledged Marty Robbins' musical talent and business acumen; stating, however, they are looking to change the well recognized name of a major transportation corridor.

Councilmember Lieberman disagreed, clarifying all they are looking to do is place a memorial plaque on the pedestrian walkway that goes over Grand Avenue. He said he has no intention of changing the name of Grand Avenue.

Mayor Scruggs said if they are going to change the city's longstanding policy and start recognizing individuals who are born in the city or contribute to the city, they should establish a process whereby everyone can be considered for such recognition based on their own merits.

Councilmember Clark stated, as is recognized in Mr. Mehta's Council communication, it is up to ADOT to name the pedestrian walkway. She said the most the City of Glendale could do if it wished to do anything is pass a resolution or draft a letter in support of the idea. She said the request was made by a specific group of citizens who have worked for a long time to gain official city recognition for a man they deem to be a hometown hero.

Vice Mayor Eggleston suggested the fans petition ADOT to rename the bridge. He said he is philosophically opposed to naming the bridge after anyone in particular, stating doing so will inevitably upset another group of citizens.

Councilmember Goulet agreed with Vice Mayor Eggleston that naming things after someone can result in hard feelings. He expressed his opinion the group took the wrong approach, stating from the beginning he felt there was an adversarial

undercurrent. He noted several people have since approached him with the names of people they believe should also be honored. He said a process that allowed people to participate and buy into the decision would have been much more effective than the way they seem to be forcing people to accept the idea or risk being dismissed as not caring about the person.

Councilmember Martinez said he knew Mr. Robbins personally and he would not necessarily oppose erecting a plaque in his honor at some location. He stated, however, doing so would open the door for the multitude of other people who believe someone should be recognized. He stated he is not aware of Marty Robbins ever doing anything for the city once he became famous.

Councilmember Lieberman said he is not aware of any other person from Glendale who achieved national fame, not only as a singer, but as a composer and race car driver as well. He invited anyone who objects to the idea to contact him personally, noting he has not encountered anyone who is not in favor of the idea. He stated he will find out more information from ADOT as to the process for naming the bridge. He noted Marty Robbins actually wrote a song about Councilmember Martinez' brother.

Mayor Scruggs stated, at this point, the Council does not support the concept and feels a process should be established if the city is going to begin naming facilities in honor of famous people.

### Signs and Monuments

Mr. Froke said, as a result of the January 3, 2006 Council workshop, staff started researching the issue of entry and monument signage. He said they have worked closely with Transportation and the Marketing Department on the program and are presenting three types of signage for Council's consideration. He said the first type of signage is a monument sign, reviewing a map indicating the location of existing monuments signs throughout the city. He pointed out the monument sign at 43<sup>rd</sup> Avenue and Glendale is different from other monuments signs, constructed during the late 1980s with the reconstruction of Glendale Avenue. He stated the second type of sign is a metal "Welcome" sign, noting the city currently has 19 such signs. He said the third type of signage is known as "way finding" signage, explaining other Super Bowl host cities have used these signs to familiarize visitors with key locations and attractions.

Councilmember Goulet asked about the size of the "way finding" signs. Ms. Frisoni said the signs are proposed to be 8' by 2'.

Councilmember Clark said she does not like any of the proposed signs, expressing her opinion, for instance, the "way finding" signs with the mountains are more appropriate for Scottsdale or Paradise Valley and the signs with the sun appear trite. She stated the only thing she likes about the monument signs are the curve in the concrete, pointing out the Glendale key logo is hardly noticeable. She expressed her opinion

selecting any of the proposed signs would result in disagreements between the various factions within the community. She said they need to develop a symbol that identifies Glendale.

Councilmember Goulet asked if red is the city's official color. Ms. Frisoni explained they started with the idea of the "way finding" signs after seeing that many of the other host cities have used them to direct people where to go. She stressed the signs presented to Council represent concepts not actual designs, explaining staff's intent is to determine if the Council is interested in pursuing the signs themselves. She said they need to look at all of the different aspects of the community, including Luke Air Force Base, the downtown historic district and the sports complexes, to determine a symbol or icon that best represents the city. She explained they are limited in the colors that they use based on what will be visible from the roadway.

Councilmember Clark said the images rather than the color are what she finds bothersome. She said three different welcome signs throughout the city will fail to convey a unified cohesive theme for the city. She said the idea of the three signs being integrated is a good concept, but she does not like the graphic selected to represent Glendale.

Councilmember Goulet said a lot of the city's success and attraction is due to its community feeling. He suggested they incorporate that family oriented community theme into the signs. He expressed his opinion the "way finding" signs could be very effective.

Mayor Scruggs asked why they are only looking at 43<sup>rd</sup> Avenue for monument signs, stating there are several other major entry ways into the city. Mr. Froke displayed a map indicating the three existing monuments, explaining their discussion is intended to solicit Council's direction concerning the key locations for monumentation. Mayor Scruggs said the memo indicates the committee feels monuments should be located at 43<sup>rd</sup> Avenue and Northern, 43<sup>rd</sup> Avenue and Camelback, and Glendale Avenue and the Loop 101. She said nothing is proposed up north, along the west side or along the southern boundary. Mr. Froke reiterated they are seeking Council's direction.

Councilmember Martinez said he likes the entry monument sign with the cactus and mountains and believes the "way finding" signs will be helpful. He stated he likes the idea of locating welcome signs throughout the city that identify different aspects of the city, stating while their messages may be different they convey a cohesive theme.

Councilmember Lieberman noted few people know the meaning behind the design of the monument at 43<sup>rd</sup> Avenue and Glendale. He said he likes the proposed signs, particularly the one that recognizes Luke Air Force Base. He expressed his opinion the signs should be one color so they are more easily identifiable. He questioned where they will find room to install the 4 by 12 monument signs at most intersections.

Councilmember Frate said the signs need to be simple, uniform and vandal resistant. He suggested they keep the city's logo. He pointed out people comment all the time that they know when they cross into Glendale because it is so much nicer than the neighboring communities.

Vice Mayor Eggleston suggested they go back to the drawing board, stating the signs should be simple and avoid listing information that is likely to change.

Mr. Froke said they are taking a two pronged approach, addressing the Council's special item of interest as well as the mega events. He stated staff will go back to the drawing board and incorporate Council's comments regarding simplifying the designs.

Mayor Scruggs said, while she heard majority support for the concept of the monument signs, the Council feels the design should be simple. She stated she would like to include the city's established date, stating Glendale's long history should be a source of pride. She stated there seemed to be mixed support from the Council with regard to the welcome signs, but the overall feeling was that their design should also be simple. She suggested they use the signs specifically during times of mega events. She said the "way finding" signs in the downtown and sports complex areas seems to be a good idea, again, as long as they are simplified. She said staff also needs to identify key locations for monument signs and determine if the intersections have adequate space to accommodate the signs. Mr. Froke clarified staff is proposing one additional entry monument sign around Loop 101 and Glendale as well as 60 welcome signs to be disbursed throughout the city. Mayor Scruggs asked about the monument sign recommended at Northern Avenue. Mr. Froke explained the sign at Northern and 51<sup>st</sup> Avenue is recommended because Northern is a major east/west corridor.

Councilmember Clark noted there is a tremendous amount of traffic on Glendale Avenue from Luke. She said 91<sup>st</sup> and 99<sup>th</sup> Avenues are also major entryways into Glendale.

Councilmember Frate asked if the monument sign at 51<sup>st</sup> Avenue and Bell will be replaced. Mr. Mehta responded yes.

Councilmember Lieberman asked if Glendale still has signs identifying Mimmegen as its sister city.

Councilmember Clark commented some of the metal welcome signs are so faded the city would be better off taking them down.

### New Ideas

Mayor Scruggs wished Councilmember Goulet a happy birthday.

Councilmember Martinez asked staff to research whether or not any cities place limits on the number of rentals they allow.

Mayor Scruggs asked Councilmember Martinez if he is looking for ordinances that limit the number of multi-family housing projects or private homes made available for rental. Councilmember Martinez said he would be interested in ordinances that place limitations on either.

Councilmember Lieberman said he would like an update on group homes, including the number of homes, the different types of group homes, distance requirements, restrictions and registration requirements.

Vice Mayor Eggleston said he would like to know the plans for city owned properties on either side of the Grand Avenue underpass at 59<sup>th</sup> Avenue and Glendale.

Councilmember Frate asked staff to bring back information concerning the city's littering and dumping ordinance.

Councilmember Clark said, at one time, Glendale had a rental to owner occupied ratio of three to one. She asked staff to look at the issue, but not from a citywide average standpoint. She explained there is such disparity between different parts of the city that they might find pockets of concentration in certain areas. With regard to the pedestrian bridge at Grand, she asked how the city will get pedestrians across the railroad tracks as well.

Mayor Scruggs said she wrote out her comments because she wants to avoid the misrepresentation that occurred the last time she brought up the issue. Her comments were as follows:

“What I am asking for is that staff look into moving Street Maintenance and Pavement Management from the General Fund into the Go Fund. And, actually, I heard today from our Transportation people that they're actually starting to do this. But this is the basis of why I am raising this. In the City of Glendale we have an overall city sales tax rate of 1.8%. Twenty-eight percent of that total City Sales Tax goes to transportation. That's one-half of one percent equals that 28 percent is voter approved and that's going to stay that way. I'd like to compare that with the portion of our City Sales Tax that is dedicated to police and fire, which is only one-tenth of one percent. Only one-tenth of one percent goes to public safety and that's only five percent of the total City Sales Tax. The GO Transportation projects are needed, but many of them come with great costs to the General Fund. We made the very same mistake in 1985 in Maricopa County when Proposition 300 was passed. No funds were allocated for maintenance and repairs to all the new freeways built. In 2004, Proposition 400 contained funds for maintenance, repairs, landscaping, and litter control. We recognized that we had made a huge mistake, we were building things and without the funding to maintain them. As miles and miles of new streets are built in Glendale, our General Fund base budget has to grow to accommodate the extra funding

needed to keep those streets safe and well maintained. We cut back once on pavement maintenance and now we are trying to dig our way out of that mess. We don't want to get into that situation again, yet the added cost of necessary pavement maintenance are going to compete heavily for the remaining 1.2 percent City Sales Tax not dedicated to either Transportation or Public Safety. Other services and projects will lose out and they will be services and projects that our citizens value highly. We have received legal opinions that pavement maintenance is a rightful use of the voter approved one-half cent sales tax, yet our Citizens Transportation Oversight Committee strongly objected to the use of GO Funds for pavement maintenance. They said that they disputed the legal opinion. In deference to their strong feelings, Council backed away from moving Pavement Maintenance to the GO Fund where it should be. CTOC, or the Citizens Transportation Oversight Committee, subsequently offered to allocate \$750,000 a year for five years to help us catch up with the pavement, maintenance and repairs that had fallen behind in previous years.

As the seven citizens elected to look at the needs of our city as a whole, we have a responsibility to protect our ability to serve our citizens needs in all areas, now and into the future. I believe that must be done using existing revenue sources and not by creating new ones nor increasing those that already exist. In other words, no new taxes and no increase in the Sales Tax rate. The one-half cent Transportation Tax does not have a sunset. It is not like the Regional Transportation Tax where no new projects can be added as the plan has been balanced according to the revenues expected over 20 years. Rather, our Glendale City Transportation Tax will far exceed projections due to economic development opportunities unanticipated in 2001. And let me just as a matter of clarification point that out. In our Transportation election material, which projected the projects and so forth and the revenues from 2002 to 2025, it was projected that \$1 billion would be brought in in the next 25 years. Fifty-eight percent of it would come from Glendale Sales Tax, 32 percent from federal, state and regional, and 10 percent from user fee and General Fund. \$580 million was what was expected to be generated by the sales tax, yet we all just got a brochure at our house just in the past few days telling us that it is now projected for the next 25 years, from 2006 to 2030, \$1.48 billion. That's a 48 percent increase in the total taxing. And the Glendale Sales Tax contribution will be 46 percent; federal, state, regional 49 percent, transit and user fees and General Fund will be five percent. So, here in Glendale we have already added with the Citizens Transportation Oversight Committee's recommendation to do so, numerous projects that were not on the ballot and we will continue to do so unless we cannot afford to maintain new projects that bring with them roads and other amenities that need to be maintained. So my request is that staff look at whether the GO Fund can

absorb the total cost of pavement management, maintenance. And if the total cost cannot be moved to GO revenue all at once then I would like to have a report on a phase-in approach and I will support moving this to the ballot next year since we're going to have an election anyway. However, I still maintain that our legal opinions that were given to us are correct and that we can make changes. When we add up all of the millions, tens of millions of dollars of projects that have been approved and put into the GO Fund that were never on that ballot, it surely points out that the money is there for the projects that people want to participate in. I cannot say more strongly how continuing this way, building projects without the funds to maintain them, is going to hurt our parks, our libraries, our police, our fire, our code compliance, everything that's important to the quality of life of the people who live here. Excuse the length, but I don't want to be misunderstood again. Thank you."

#### ADJOURNMENT

The meeting was adjourned at 3:45 p.m.