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CALL TO ORDER

[Time: 00:00:08]

Mayor Lane: Good afternoon, everyone. Welcome to the Kiva. Nice to have you here with us this afternoon. I would like to call to order our 5 p.m., or approximately thereof our August 28th, 2018 City Council meeting.

ROLL CALL

[Time: 00:00:18]

Mayor Lane: We will start with a roll call, please.

City Clerk 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.

Councilwoman Korte: Here.

Carolyn Jagger: Kathy Littlefield.

Councilwoman Littlefield: Here.

Carolyn Jagger: Linda Milhaven.

Councilwoman Milhaven: Here.

Carolyn Jagger: David Smith.

Councilman Smith: Present.

Carolyn Jagger: City Manager Jim Thompson.

Jim Thompson: 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: 00:00:41]

Mayor Lane: Thank you very much. Just a couple of items of business before we get started, and we do have cards if you would like to speak on any of the agenda items. Those are the white cards the city clerk is holding up over her head here to my right, and if you have not filled one out, it is now time to do so. We also have a yellow card for written comments on any of the agenda items. And

so they are here to assist you with that as well. We have with us Scottsdale police officer, Eric Bolles and Jason Glenn. They are here to assist you. The areas behind the dais are reserved for Council and staff. We have restrooms over here to my immediate left for your convenience.

PLEDGE OF ALLEGIANCE

[Time: 00:01:33]

Mayor Lane: Today we have the Pledge of Allegiance that we will have given to us or rather will join the Daughters of the American Revolution, the Grand Canyon chapter here for us to lead us in that pledge. If you can, please stand.

Daughters of the American Revolution, Grand Canyon Chapter: I pledge allegiance to the flag of the United States of America, and to the Republic for which it stands: One nation under God, indivisible, with liberty and justice for all.

INVOCATION

[Time: 00:02:16]

Mayor Lane: Thank you, ladies. This afternoon we have Pastor David Joynt of the Valley Presbyterian Church here to give us the invocation. Pastor, please.

Pastor David Joynt: Let's join our hearts and minds in prayer. Let us pray. Heavenly Father, we thank you for the little new fresh generation of citizens who are in our schools, as we speak today that is full of energy and promise and for all of those who nurture and encourage them. For parents and grandparents and teachers and coaches. We thank you for our senior citizen saints, who have seen our city grow and develop and have learned the lessons only time can teach. We thank you for our middle agers who often carry the brunt of responsibility in leadership and enterprises and organizations. We support both the young and the hold with their label.

We thank you as the country remind us of the life and the service of John McCain. And we thank you for our firefighters and police, for all of those who are ready and willing to go into danger, with moments of bravery and courage and we thank you for the public servants at every level who give their lives and energy hour by hour and day by day in the patient and unglamorous work of government, listening planning, developing revising, helping us to gradually perfect our common life. Heavenly father, we honor you as the giver of every good and precious moment and we ask your blessing on our meeting and on this time. In your great name, and all God's people said. Amen.

Mayor Lane: Thank you, Pastor.

MAYOR'S REPORT

[Time: 00:03:54]

Mayor Lane: Just one report from the Mayor's Report. We lost a great Arizonan and a great American who represented the country and the state for 60 years in combination and that would be John McCain. We lost him a few days or several days ago now and we would just like to take a moment to consider his dedication, his belief and his love in our country, and the sacrifices he made to keep us in the kind of country that we all enjoy and move forward in a positive way in his absence and in his memory. With that, I would like to take a moment of silence for whatever thoughts and prayers you may consider for himself and his family as we move on. Thank you. Just for a note, the service will be tomorrow in the valley at 9:15 in the morning. I think there are provisions if you, in the public wants to attend, but it's something that needs to be arranged. In any case, I wanted to make that mention as well.

PUBLIC COMMENT

[Time: 00:05:33]

Mayor Lane: So, the next order of business is Public Comment. And the Public Comment is reserved for citizen comments regarding non-agendized items which no official Council item will be taken on these items. Comments are limited to issues within the jurisdiction of the City Council. The speakers are limited to three minutes and a maximum of five speakers and there will be another opportunity for Public Comment at the end of our meeting today. We start this evening with two requests for Public Comment. And I will start with I believe it is Rachel Putman and Carol Miraldi, if they would like to come forward, like to come forward.

[Time: 00:06:22]

Carol Miraldi: Good evening Mayor Lane and Councilmembers. Thank you for giving us this time. We are here from the Neighborhood Advisory Commission, and we are here to highlight the Spirit of Scottsdale Awards Program for both the Council and the community. Since 2015, the Neighborhood Advisory Commission has sponsored the citizens nominated awards program to recognize people and places that embody the spirit of Scottsdale through neighborhood stewardship, particularly with regard to how a person or place contributes to Scottsdale physically, aesthetically or socially. For the 2018 program year, we have four major spirit category awards, single family residential, multifamily residential, nonresidential, and our very special spirit of Scottsdale award which is for a person or organization. Rachel?

Rachel Putman: And to be eligible for a nomination in one of these four categories, the person or place must reside within southern Scottsdale, which is from Indian Bend south to the city limits, and inclusive of Old Town Scottsdale. The nomination period opened in February 1st of 2018, and will close at the end of this month. Excuse me, at the end of September. Once all nominations have been submitted, the Neighborhood Advisory Commission will decide on the winners in the fall of 2018.

Once the award winners for each category have been decided, they will be notified to attend a special City Council meeting at the end of 2018 to receive their awards. Within the nomination window as

it's closing, we wanted to promote the program to this community to nominate a person or place that makes Scottsdale very unique. We urge citizens to go to our Scottsdale.gov website and search in spirit of Scottsdale awards and you can plug in your nomination today. It's a really simple way to nominate the people and places around you, and you will need just a picture of why you are submitting that person and a brief description. It's five minutes or less and it's just a great way to promote our community. So we thank you for your time and continue to support the Spirit of Scottsdale Awards. Thank you.

Mayor Lane: Thank you very much, ladies. Appreciate it. Next will be Darlene Peterson.

[Time: 00:09:12]

Darlene Peterson: Hello. I'm Darlene Peterson. I haven't been here for three years. And so I am kind of teary-eyed but I live in Scottsdale.

Mayor Lane: It's good to have you back, Darlene.

Darlene Peterson: Okay. The Hallcraft homes in the southern part of Scottsdale in 1987 were \$10,000. Now when they are sold and remodeled on the inside, they are going for \$300,000. When Herb was here, it started that we citizens were against the R.V.s that were parked all over the front yards and parked and blocking view. Well, Sonnie Kirtley, Patty Badenoch and I wrote some rules. One of them you have talks about big engines from, which are now parking between houses. This one is kitty corner across the street and my neighbor was going to be here, but, and she wanted me to come with her and that's why I'm here. She ended up in the hospital.

So how would you like to have one of these great, big semis parked between your house? It's not very good for selling your property if you are going to have this stuff. And it ends up that Sonnie, Patty and I wrote a better parking ordinance than what the staff, the staff was no help at all, but the City Council was no better at that time, and they were people that I supported.

Well, it wasn't that the city didn't know about it. Because here is one of these big things that was parked on Virginia, right across from Coronado high school. And so what I'm asking is that the City Council will look into this parking again and look into this 100 to 300, 150 to 300 gallons of gasoline tanks parked between two houses. It's not right. It's not good for our economy. And so I wish you would do something about it. Here's one that's been parked on the street Granite Reef, just north of Thomas. It's been there over a week, and I don't know whether it needs repair or what, but we have got them. And we're sick of it! Thank you very much.

Mayor Lane: Thank you, Darlene. We do have the petition and we will look at direction on it at the end of this meeting. Thanks. Okay. That does complete our Public Comment.

MINUTES

[Time: 00:13:53]

Mayor Lane: Next item of business is our Minutes and I look for a request, a request to approve the Special Meeting Minutes of June 19th, 2018, and July 3rd, 2018, and Regular Meeting Minutes of June 19, 2018, July 2nd, 2018, and July 3rd, 2018, and Executive Session Minutes of June 19th, 2018, and July 3rd, 2018.

Councilmember Korte: Mayor, so moved.

Mayor Lane: The motion is moved.

Vice Mayor Phillips: Second.

Mayor Lane: The motion is seconded by Vice Mayor Phillips. I see no further comment. I they we are ready to vote. All of those in favor of accepting these minutes, please indicate by aye and register your vote. Aye. It's unanimous then at 7-0. The Minutes have been accepted. Thank you very much on that.

CONSENT AGENDA

[Time: 00:14:21]

Moving right along to our Consent Items, we have items 1 through 22. We do have a request by Councilman Smith to pull for discussion and special vote. So we will move this to the Regular Agenda. And we will just go ahead and proceed with the Consent Items 1 through 22, absent item 2. So with that, I do not have any requests to speak on any of the Consent Items other than the one that's been pulled. And so we, we, I would ask for a motion to either accept or to lead or otherwise change the Consent Items absent item 2.

Vice Mayor Phillips: Mayor, I move we vote for Consent Items 1 to 22, minus 2.

Councilwoman Littlefield: Second.

Mayor Lane: The motion has been made by Vice Mayor Phillips and seconded by Councilwoman Littlefield and that takes care of that. We just need now to vote. All those in favor, please indicate by aye and register your vote. Consent Items 1 through 22, absent Item 2. It passes unanimously. If you are here for any of those items, you are welcome to stay with us and continue, otherwise, we can, if you could just leave quietly, and we'll continue the meeting. And I would emphasize if you could leave quietly, and have your discussions outside in the heat. Thank you.

REGULAR AGENDA

ITEM 2 - PORTERS BUILDING CONDITIONAL USE PERMIT (6-UP-2018)

[Time: 00:14:27]

Mayor Lane: So, moving on to our Regular Agenda items, now including 2, and Item 2 was moved to the Regular Agenda items, it's Porters Building Conditional Use Permit, 6-UP-2018, and it's a request to find that the Conditional Use Permit criteria have been met and adopted and the resolution and requests passage of Resolution Number 11215, approving a Conditional Use Permit of a bar within portion Suite B of a 2900 square foot building with the central business district, Downtown overlay, historic property. We have at the podium.

Senior Planner Jeff Barnes: Jeff Barnes with the Planning Department.

Mayor Lane: Do we have a new look?

Jeff Barnes: No, I'm not up here all that often.

Mayor Lane: I'm even thinking of the beard. Maybe it's something you have had since birth, I don't know. In any case, please. Welcome.

Jeff Barnes: I think they might be rounding up a PowerPoint quick.

Mayor Lane: Very good. Maybe specifically other than presentation, is there some particular point that maybe you, Councilman Smith would like to speak toward?

[Time: 00:17:33]

Councilman Smith: Well, I don't know what the presentation might be, but let me ask you a couple of questions. The second floor of this proposed building remodeling, will that have drink service up there or do people go up the stairs with their drinks and come back down and maybe I should be asking the applicant. I don't know. But.....

Jeff Barnes: Mayor Lane, Councilman Smith, I could probably get a better answer from the applicant as far as whether there will be like a waiter or waitress up there, but it is intended to be functional area for seating with the bar down on the first floor.

Councilman Smith: Maybe before I have the applicant come up, you can answer another question for me. I know that when people get a class six bar license, they typically are expected to show that this is in the best interest of the community and the community will be substantially served. I think those are the wards that are used, the words that are used do we have any similar language for the granting of a C.U.P. Is there any for bar, in other words, is there any requirement that the applicant show that the community interest will be served by this?

Current Planning Director Tim Curtis: Mayor Lane, Councilman Smith, the Conditional Use Permit criteria do speak generally to community impacts and that there won't be direct impact to the community as far as that goes, but.....

Councilman Smith: But not the language that is in the bar license requirement, that the community interest will be served?

Tim Curtis: Mayor and Councilman Smith, that's correct. The language isn't directly stated as it is. I'm Tim Curtis with the city's Planning Department. Different criteria. Actually the use permit criteria is more specific dealing with traffic, compatibility with surrounding land uses and there's even specific criteria related to if the bar is being proposed in downtown. They talk about interruption of day/night activity and so forth. So the Conditional Use Permit criteria in front of you, a little more specific than the very general criteria established by the stay law for the, for the liquor license and those criteria are pretty general for all types of liquor licenses in terms of the public convenience is served and the location is adequate.

Councilman Smith: While I have your undivided attention, Tim, I will let your associate off the hook for a minute, but I notice on page 3, and this is true of every Conditional Use Permit, we say that it may be revocable. It may be conditional. The work may be valid for a specified period of time. Is the request in here that this be, any specified period of time, or is this till death do us part or what would this one be?

Tim Curtis: Mayor and Councilman, in terms of time, the request is from the daily time 11 to 2:00, but in terms of how many months or years, no. This would run with the land as being proposed now.

Councilman Smith: Okay. I don't know that you will ever find your slides, but I don't know that we need the slides. The, if I may, I'm going to make a motion that we approve the Conditional Use Permit for a period of five years for a bar within the portion Suite B of an existing 2900 square foot building with the central business district. So my motion is the same as proposed here, except for five years.

Councilwoman Littlefield: Second.

Mayor Lane: A motion has been made and seconded. Would the second like to speak toward it?

[Time: 00:22:10]

Councilwoman Littlefield: Yes thank you, Mayor. I had some questions myself when I was reading through this one. And you have to forgive me, but I'm kind of like a practical person, if I'm thinking about a bar in the downtown area and I'm driving my car to go to this bar and I'm reading about the parking. And we have 14 parking credits and 6 in lieu parking spaces. So where do I park my car? Because I can't park on a credit and in lieu parking spaces really don't exist. So has there been adequate parking made for this increase of use for this, for this particular building? And if so, where are those parking spaces that people can actually pull in a vehicle and turn off the ignition.

That was one problem I had, and the other one was just in general, not just for this particular bar, but in general. It was an issue that I had when we did a lot of rezoning in the downtown area, increasing the lights and, the heights and the ability to do a lot of stuff. I don't want to see a bar district expand

into Old Town or to main town, downtown. I just don't want to see this to be a start of a bar expansion, a bar district expansion, moving in to our Old Town and our downtown.

And so this is a concern that I have, is this just the start of that? I mean, I know Richard. I know he does a good job. I have no problem with him, but I'm concerned for the future of this area, if this is another bar and then another bar and then another bar. Where do we, where do we draw the line? Or do we? Because, you know, just to expand the bar District into downtown is not going to be helpful and not helpful at all for what we are trying to achieve there? Thank you.

[Time: 00:24:17]

Mayor Lane: Thank you, Councilwoman. The motion has been made and seconded. I just had one question myself. Mr. Curtis, maybe you can answer this. Is this zoned, the zoning, does it allow for a liquor application on this property?

Tim Curtis: Mayor Lane and members of the Council, this is zoned commercial. It was operated as retail and we all know the history with the post office, but liquor can be provided through liquor sales in terms of retail. It can be provided as a restaurant and in this case, they are proposing a bar. This zoning district requires Conditional Use Permit for a bar. That's why we are here tonight, and then they will be following one a separate liquor license application with the state, for a series 6, for a bar that will then come to you for a recommendation back to the state separately.

Mayor Lane: So according to state statute, as well as our own, they can only have a bar liquor license with the C.U.P.?

Tim Curtis: That, Mayor, is strictly a regulatory requirement that the city has in that zoning district. The state is silent on zoning and whether or not you need a Conditional Use Permit in certain districts.

Mayor Lane: So the Conditional Use Permit is to, for Scottsdale to make a determination. We have been through this, many, many times through the years to specifically try to safeguard from a character issue, as well as an environment issue and whether it's traffic or otherwise that may be impacting the area. They are criteria, stipulations as they might be, in order to operate a liquor license with a bar designation, in that category?

Tim Curtis: Yes, Mayor, exactly. In fact, procedurally this is perfect, in the sense that the Conditional Use Permit comes first for the community to determine, and you to determine if that should be granted for the bar. And then the liquor license for the series 6 will come later. Sometimes applicants get ahead of themselves with a liquor license before the Conditional Use Permit and they don't quite understand how the procedures work but this is actually working right in line and so that's a good thing in terms of, of communication and transparency.

Mayor Lane: And the way this particular provision operates, as we have it right now, the, what we are saying is that staff has indicated that they have met the criteria for the C.U.P., which is stipulated in our ordinance, is that correct or not?

Tim Curtis: That's correct, Mayor. And the Planning Commission as well has indicated that this meets the criteria and unanimously recommended approval to the City Council for this Conditional Use Permit.

[Time: 00:27:01]

Mayor Lane: Now, there's another thing that we have attempted in the past too and that is to say that you, if you get your liquor license authority and you purchase that liquor license, that's no small cost on a state level. That it goes with the land. There have been occasions before where the request has been made that if you changed ownership, or stipulated period of time, and we have not ever gone with that before. Is this any particular reason that under the law that that may cause a problem?

Tim Curtis: Mayor, members of the Council, perhaps Mr. Washburn would like to chime in but some of the things that you said in terms of running with the land, the liquor license doesn't necessarily run with the land. That's an asset that can be bought and sold and moved and transferred and you have seen those in the past, but the Conditional Use Permit for a bar, in this case, would run with the land. There could be time stipulations and other stipulations, but with regard to what we have done in the past, typically it's not a time stipulation for the principal use, the bar, but there's time stipulations for an accessory use that could be problematic and an example of that would be live entertainment. Sometimes there's an existing operation where the business is operating, but they want to add live entertainment. There was some skepticism and so the Council would put a time constraint, but historically there hasn't been a time constraint for the principal use and that probably has to factor in the investment of the property owner and the principal use as opposed to the accessory live entertainment.

Mayor Lane: And I suppose that's what it's come down to is the extent of investment. Anybody that would put in a piece of property, if they were to use undoubtedly a primary asset with the run of that. That was my question. I appreciate the answer on that. Councilman Smith, are you asking to speak on this again? Or do I have.....

[Time: 00:29:02]

Councilman Smith: Well, I just wanted to clarify, Mayor, if I may. I don't have any problem with the applicant and I have every expectation that the, the remodeling and the, and the bar will be exemplary. I just have become frustrated as most of you know if you followed over the past few years, I'm frustrated over the fact that applicants never demonstrate that what they are doing with the bar license is they are going to be in the best interest of the community and will be substantially serving the interest of the community. And we never ask the applicants to affirm that statement when they are getting a class 6 bar license.

And so I'm just trying to figure out at what point can we ever require that of an applicant, that they somehow demonstrate that this is going to be in the interest of the community and if we can't do it or

don't do it with a liquor license, perhaps do it with a C.U.P. and I'm also aware that there's never been a history of ever pulling a C.U.P., no matter how egregious the actions of a C.U.P. holder might have been. And so what I would like for, obviously, I'm using this as an example. I would like for us to be granting these on a conditional basis. That's what they are called, Conditional Use Permit. But they end up being a perpetual use permit. The only way I can figure out to make them conditional is to make them for five years. I don't think that that puts at five years the risk of the investment of a person if they perform well. I'm sure the C.U.P. will be extended, but if we don't allow ourselves the opportunity to consider some revisit of the C.U.P. and we don't ever ask the applicant to demonstrate what he's supposed to when he gets the class 6 license, that it's in the community interest, then I think we are just rubber stamping the whole process and I don't want to be a part of that. So that's why I made the motion.

Mayor Lane: Thank you, Councilman. Councilwoman Klapp.

[Time: 00:31:25]

Councilwoman Klapp: Was there any opposition at the Planning Commission meeting?

Tim Curtis: Mayor and Councilman Klapp, no, there wasn't.

Councilwoman Klapp: Okay. And so we have no opposition here tonight other than from a Councilman. So I will not be supporting this motion. I think this is placing a limitation on a Conditional Use Permit that I don't think is appropriate in this case. I believe that we have Conditional Use Permit processes that can be discussed from time to time as was mentioned when there's, when there's live entertainment, but just to put a limitation on this because it's going to be a bar. I don't think it's appropriate. So I will not be supporting the motion.

Mayor Lane: Thank you Councilwoman. Councilwoman Korte.

[Time: 00:32:10]

Councilmember Korte: Thank you, Mayor. So I understand that this is going to be an authentic western-themed saloon and that's part of the use permit that it maintains itself as a western saloon?

Tim Curtis: Mayor Lane and Councilwoman Korte, no there's no characterization criteria in terms of how it operates in regard to style and theme.

Councilmember Korte: So have we in the past as a city ever put a time limit on Conditional Use Permits?

Tim Curtis: Mayor and Councilwoman Korte, yes, but as I mention previously, it's typically an accessory of the Conditional Use Permit and not the primary use. For instance a restaurant and bar with live entertainment, where the live entertainment is more an accessory to the business and then there's a time limit to that. But for the primary use, again, as indicated before, with the investment

incurred to establish the primary use that typically hasn't been a time limit. Another example would be a wireless communication facility because sometimes the technology changes in that, those five years. But it hasn't really been for a primary business operation, having a time restriction.

Councilmember Korte: Is, so I'm a little concerned given the theming of this, that it certainly fits into Old Town and that's what we want to see in Old Town, right, is continue that, well, shall we say historic Old Town to continue that western theme, and this certainly fits into it. I wonder if that changes and is that, is that really what we want for Old Town? I'm not sure if that's something that we can regulate or not. But back to a time limit on the Conditional Use Permit, I think Councilman Smith has a, a concept here that I would like in the future to have some conversation around it, but to put it as a one stop here I don't think is fair to the business owner. So I won't be supporting the motion.

Mayor Lane: Thank you, Councilmember. Vice Mayor Phillips?

[Time: 00:34:41]

Vice Mayor Phillips: Thank you, Mayor. Well, I had some concerns about this too at first, and I contacted Marilynn Atkinson and the Old Town merchants and they didn't have a problem with it. In fact, they said they kind of welcomed it. So I take that as if you guys don't mind, I don't mind. So I don't have a problem with this one. Thank you.

Mayor Lane: Thank you, Vice Mayor. I think that as far as the, I'm sorry, does the city staff want to weigh in on this? Yes, Randy?

Planning and Development Director Randy Grant: I know that the applicant would like to address some of the questions about the character if it's appropriate.

Mayor Lane: Okay. That's fine. Let me just make my final comment, and we can have them come forward, he or she. But I was just going to say that there is an historical preservation issue that also applies to this particular structure. So there is some compatibility and some consideration for the environment and the character of the area as far as that goes.

The other is that the notion that somehow or other, and now businesses have to justify their existence other than to meet a market demand and then, and also then to comply with the law, is something that I'm concerned about. Even though I'm always equally concerned about bad actors at times, but we are in the process, we really don't have a, if people comply with the law in bringing it forward, and then, in somewhat of a unique situation and I think maybe a good one, a Conditional Use Permit process was debated heartily years ago with regard to whether or not we really had the say on that.

I think it is something that is very strong in, for our communities and well-being of our community to have stipulations so that, and the excesses of things can be controlled by stipulating them in a Conditional Use Permit. One thing that we have found through the years, and it probably does require some additional discussion, even though I think we have kicked this around many, many times over the last ten years, and that is how do we enforce the stipulations? And how well do we enforce

them? And is it an all or nothing situation? If you violate it, do you end up pulling the plug on the entire operation this.

One of the concerns we had, even as a Prop 207 takings issue, was once this goes with the land, if you end up not redoing it, so make a good choice the first time, you have the, you run the risk of violating what becomes an auxiliary to the zoning requirements and the zoning stipulations on the property. I think it's a cautious area but I think it's worthy of some conversation. It's not something that needs to take place here.

I think it has passed muster on just about every area, the Planning Commission, the neighborhood and the outreach and I have looked through the stipulations and I can see that they certainly deal with the things that we would have an immediate interest in and that's no outdoor speakers. That's some of the noise considerations, as well as the presence of historical preservation, as far as of the property is concerned and the look and feel of that and the submission of those no live entertainment, conformance with the conceptual site plan and security and maintenance of operation which are pretty standard features as far as that is concerned. So I will not be supporting the motion that's on the table right now. So with that, if the owner would still like to speak towards that and I'm sorry, I'm not sure who that might be. If you would like to speak towards that, we would be happy to hear you.

[Time: 00:38:47]

Applicant Sean Helpin: Thank you. My name is Sean Helpin, I've owned businesses in Old Town Scottsdale for 28 years and I held a liquor license in Old Town Scottsdale for 28 years and with no issues. So we invested our life and our future in Old Town Scottsdale. We intend to be here for a long time and be a very good neighbor. We are restoring a building that is tired and needs work. Boarded windows. We're restoring it and bringing it back to be a vibrant part of our little community. And we intend to be a western saloon because we think it will be a great asset to the people that visit downtown, locals, tourists, and that's what they expect to find down there. We're not going anywhere, and we are going to run it properly and, you know, I think we have 28 years to show you that we are not taking this lightly.

Mayor Lane: I understand, Sean.

Sean Helpin: It's also family run and we are going to be on site and we are here.

Mayor Lane: Very good. I appreciate that, Sean, and certainly do appreciate your business through the decades here in Scottsdale. So thank you for that. I see that there are no further requests to speak on this subject and we have no comment, or other comments from the audience. I think we are then ready, we have the motion and that is to stipulate a five-year term on this. That's on the table. I would, you know, I would say that before I do that, I would like to offer an alternative motion, that this, that we approve this item 2 in accordance with the language, the language that we have on the agenda and that's the adoption of Resolution of the City Council, number 11215. I believe that's correct.

Councilmember Korte: I will second.

Mayor Lane: The motion has been made and seconded. Any requests to speak on the second? Hearing none, I think we are then ready to speak, or rather to vote. And so with that, please indicate your vote and register it, please. Aye. Motion passes 6-1 with Councilman Smith denying or rather, yes. Denying. So that was the item from Consent moved over to Regular Agenda. We will move on to the Regular Agenda item, item 23, and, of course, if you are here for item 2 and wish to stay, certainly you can, otherwise you are certainly free to go and thank you very much.

ITEM 23 - HV91 REZONING (24-ZN-2017)

[Time: 00:41:31]

Senior Planner Meredith Tessier: Good evening Mayor Lane and Councilmembers. Meredith Tessier of the Planning Department. I have not changed. And we do have a PowerPoint presentation. That's good. Meredith Tessier, the case before you is HV91, 24-ZN-2017. This is on the Regular Agenda item today, because we had some neighborhood conversation and communication and the community did speak at the public Planning Commission meeting. That's the attachment that you have in front of you.

This case is located at the southwest corner of East Happy Valley Road and North 91st Street, and is surrounded by residential subdivisions, and residential uses. Before you is a close-up aerial of the site in relation to the east Happy Valley Road right-of-way and North 91st right-of-way, along with some of the vacant and developed parcels. This applicant's request is in conformance with the General Plan land use designation of rural neighborhoods as it allows one dwelling unit per neighborhood.

The next is the existing zoning. They are requesting a zoning district map development from single family residential environmentally sensitive lands, R1-190 ESL HD, to R1-43 ESL. We have 1-70 to the north and the east, west, and south. Before you is the applicant's site plan. Access to this site is going to be provided with a new driveway along east Hayden Road. There's also going to be a tract that goes southwest to a lift station. And then North 91st Street, which you see to the east is also going to be maintained access for the neighbors to the east.

Next slide we have is natural area open space. The proposal is dedicating natural area open space and the buffer setback will be provided along Happy Valley Road along with the non-motorized public access easement. So in conclusion, the proposal is conformance with the 2001 General Plan. A buffer setback will be provided. We had comments of opposition and support, and Planning Commission heard this case and recommended approval that. Concludes staff presentation. And the applicant has prepared a presentation as well.

Mayor Lane: Thank you very much, Meredith. If the applicant would like to come forward.

[Time: 00:44:28]

Applicant Representative John Berry: John Berry, 6750 East Camelback Road in Scottsdale. With your permission, I will digress. I was so happy to see Darlene Peterson up at the podium again! I cannot tell you how much more money I made when Darlene was at this podium speaking in opposition to my cases and I'm glad to have her back!

All kidding aside, Darlene is, it's so great to see that passion again for her community, for our city, and her neighborhood. It's great to have her back and at times I was the recipient of that passion, but I will tell you the passion for the case is not passion. Just for the record. So, but it's great to see that and Darlene, that involvement, that passion for our community has made for better projects every time you have been involved. So thank you. And as you said, in spite of, when we were talking earlier, you said, you know, John, we disagreed but not disagreeably and she has modeled that civil discourse that our community should strive for. So anyway, I apologize for the digression, but thank you, Darlene.

Mayor, how many cards do we have to speak on this item? Two? Just two? Okay. Thank you. You know, something interesting about this case that's a little bit atypical is that the seller of this property is the Musical Instrument Museum. So if this case is approved this evening, they will be the recipients of the sale of this. Proceeds of the sale of this property. As staff pointed out, they made a comprehensive presentation. This proposal is in conformance with the voter approved General Plan. It allows up to one unit to the acre.

We are doing 17 large lot, single family homes on 20 acres or actually underneath what the General Plan theoretically allows. Importantly, this proposal also preserves more desert than the existing zoning. Under the existing zoning, without coming back to you folks, they are only required to preserve a certain amount of desert on that property. With our proposal, we are required and we have offered to preserve even more property. Importantly, much of that additional Preserve desert is along Happy Valley Road.

So this is a split screen that shows on the left Happy Valley Road, and this is what could develop under the current zoning 5-acre lots with two homes along Happy Valley Road. And all they would be required to do is have a 60-foot setback from Happy Valley Road. To the north on the other side of Happy Valley Road is an existing neighborhood that has a 20-foot setback with a perimeter wall around it.

[Time: 00:47:19]

What are we proposing? We are proposing an area with much larger required Preserve desert and this area of Preserved desert is stipulated in our zoning case. So instead of a minimum of 60 feet, we have a minimum of 70 and up to 203 feet. I would notice, I will ask you to note that like this, where there are only two homes on Happy Valley Road, we also only have two homes on Happy Valley Road. We think that's a good neighbor to those folks to the north that only have 20 feet and an existing perimeter wall. We will have no perimeter wall.

These facts led city staff and their property to note that proposal provides large perimeter buffers and the development buffers that limit on-site noises and the existing and the north side of Happy Valley Road. Also Mayor, members of the Council, as you know, Happy Valley Road has been a point of contention for people and residents in this area because the traffic has been so difficult on Happy Valley Road over the decades. In fact this Council has taken the initiative to ensure that that traffic issue is relieved. As you know, you have appropriated the funds and starting next year there will be a capital project to widen Happy Valley Road from two lanes to four lanes doubling the size and capacity of Happy Valley Road.

Now my client agreed that if you only waited a year, the city and the taxpayers would have picked that up, but this is not the case as staff noted in their report. Along Happy Valley Road, the developer and not the city or the taxpayers, the developer has agreed to construct the south half street along with a new raised median and a deceleration right turn lane into the subdivision. That's not needed or pursuant to the transportation study. The south half street which includes a new raised median. That's 100% of the median, not half the median. That's 100% of the median. So the taxpayers do benefit from the fact that they will not be paying for these improvements along Happy Valley Road.

Mayor and members the Council, we are in conformance with the voter approved General Plan. We are providing more Preserve desert and we are more than paying our fair share of community benefits and improvements to the enhancement of transportation on Happy Valley Road. Happy to answer any questions you may have and Mayor, I note that you have a few minutes left over and if need be, I would like to reserve them for rebuttal, or in case Darlene wants to come up and tell me how wrong I really am. Thank you very much.

Mayor Lane: We do have two requests to speak on this and start with Graham Clark.

[Time: 00:50:21]

Graham Clark: Thank you, Mr. Mayor. Thank you members of the Council. I have three minutes. I will go as quickly as possible. First in terms of passion, I have to keep mine to myself. I have lived just off of Happy Valley Road for 18 years. I watched half the houses in our small subdivision get built. It's almost completely built. There's only three left. I located there knowing what the city plan was, the one lot per acre, it meant a lot to me and it still does it. Still does with all the people with us in our subdivision.

Secondly, in terms of the benefits of the plan, showing the greater protection of buffer zones to the north part of their lot, that's true. It's a fact. But we are very concerned about this particular area because it's a case of first impression. There are no houses in that first half mile south of Happy Valley. None. So the density that is established there is going to be the first density ever. And also, there are no houses, no dwellings at all going north on Pima, in the same area. The pictures will show the same thing. This is the tract of land that was Henry Becker's topic of great contention a couple of years ago, many years ago, when he wanted to change the city plan.

Now, it's true that this plan still stays one house per acre overall, 17 houses on 19 acres, what is the

problem? But if you look at page 7 of the Planning Department report, you will see that in essence, they have done the same thing on their small tract that Henry Becker wanted to do on the big one. They have squeezed five, six, lots at the bottom. And the acreage, the square feet of those lots is under 42,000 square feet. And the big lots are at the north. Henry Becker wanted to do the same thing. He wanted commercial at the bottom third and then a retirement community or something, and then he was going to have more density on the top.

When they talk about preserving more of the open space overall and still meeting the overall density requirement that sounds like a planned unit development. If you push that further, you can say, well, we will build a couple of townhouses and then have a whole lot more N.A.O.S. there. They are going to be, out of the 17 lots, there will be seven that have 33, 32,000 square feet. None of houses in our subdivision north have less than 42,000 square feet. Now that may sound, you know, plenty good for anybody, 32,000 square feet, but it's a significant change in the perceived density of the overall area. It will look different to people going up and down Happy Valley, and they will see.

The last point on the traffic. Their deceleration, I live there. I see they every morning and every night. The deceleration lane they are talking about is when you turn right on Happy Valley, coming north on Pima, there are two lanes. One is the continuing traffic on Happy Valley and the other is the people making a right turn on Pima. It's only two lanes, though, for.....

Mayor Lane: Mr. Clark, I will have to ask you to wrap it up. I already have you 40 seconds in.

Graham Clark: People have started now eagerly passing on the right. And, and it's a hazard. That is a traffic concern which we pointed out at the Planning Department meeting. And they said they would study it and they talked about the timing of it, but we haven't heard anything. But this deceleration lane is going to begin right at the end of the place where the present road narrows from two lanes to one. And so I think it's just asking for trouble. Some people are going to be making that right turn, trying to pass to get up Happy Valley Road and get up to Troon and people are passionate about getting up to Troon too. And that's what they wanted too. And then to have a deceleration lane there as well needs serious attention. Thank you.

Mayor Lane: Thank you. Next is Anna Pancoast.

[Time: 00:55:16]

Anna Pancoast: Good evening, Mayor and Council, I would like to read a letter into the record. To whom it may concern, I'm a Scottsdale resident since 1998 and for the last 12 years made my home at desert skyline estates, northeast of....

Mayor Lane: Could you make sure you are speaking into the microphone?

Anna Pancoast: Yes.

Mayor Lane: You might have to move it down just a little bit.

Anna Pancoast: To whom it may concern. I'm a Scottsdale resident since 1998, and for the last 12 years made my home at Desert Skyline Estates northeast of Pima and Happy Valley Road. I'm in favor of and support the proposal for the HV91 development, new homes and much needed road improvements are a valuable addition to the surrounding community. Sincerely George Nussmeyer, North 90th Way, Scottsdale Arizona, 85255. Thank you.

Mayor Lane: Thank you Ms. Pancoast. That completes the public testimony on this item.
Mr. Berry, do you have anything you would like to add in rebuttal.

[Time: 00:56:19]

John Berry: I owe each of you an apology. I had bad and incorrect information and I was consulting with our land planner here with a graphic that gave me unfortunately the incorrect information which I unknowingly passed on to you. I made a representation that the minimum lot size was 43,560 square feet. That's not the case. The lot size is 43, it's one acre. It's my responsibility to catch those things and apologize to each of you for that.

Mr. Clark talked about his passion and Darlene's passion. Mr. Clark, you know that this case started out before we got involved with half, R-118 half acre lots and it's progressed to the point where we lost lots and increased the minimum size or the average size of these lots to 43,560 square feet. So Mr. Clark and his neighbors had an impact on this proposal and we think it's better as a result.

I would note that there are two letters of support from his neighbors in his subdivision as was recently read to you. He did note that he bought with the knowledge that the General Plan allowed up to one unit to the acre. We are below that. We have done better than that. I know there's concern in many places in the community about the potential for the development and his land. Whether this is a positive perspective or adverse, it's what they would be requested for.

Certainly this request here before you is in conformance with the existing General Plan and, in fact, only 17 lots on 20 acres. And I would also like to note that interestingly Mr. Clark talked about we took those smaller lots, and put them at the south end of our property. Now, I will tell that you that was not my client's first choice. And he did that because of the passion of the neighbor, Mr. Clark's neighbors which we have support and no one else here in pop significance. And that was tip, in opposition. And that was typically against a busy road, soon to be four lanes, you put your smaller lots. You don't put your biggest, best lots up against the busy street. You put it away from the busy street.

My client reversed that, again to deal with the issues that some of these neighbors raised. And we put our largest lots, one that's over 70,000 square feet and another that's over 55,000 square feet, up against Happy Valley Road for that very quality of the experience and the character along Happy Valley Road that the neighbors were discussing with us. We responded to, that to our detriment, I would say. Mayor and members of the Council, I would answer any questions that you have but I respectfully request that you approve this in accordance with the Planning Commission's unanimous

approval of this for you. Thank you very much.

Mayor Lane: Thank you, Mr. Berry. We will proceed. There's no further comment. I do have, we are done with Public Comment. So we have Councilwoman Milhaven.

[Time: 00:59:30]

Councilwoman Milhaven: Thank you, Mayor. I think that the average of 1 acre per home is entirely in keeping and while I share your concern about the traffic along Happy Valley, we know that road improvements are coming shortly that should address that. So I will move forward to make a motion to adopt Ordinance 4362, approving a zoning district map amendment for single family residential, environmentally sensitive lands, hillside district, R1-190 ESL HD zoning to single family residential, environmentally sensitive, R1-43 ESL zoning for a 17-lot subdivision on a 20-acre site, southwest corner of North 91st Street and east Happy Valley Road.

Councilmember Korte: Second.

Mayor Lane: Moved by Councilwoman Milhaven and seconded by Councilmember Korte. Would you like to speak toward it? I'm sorry. No further requests to speak on the subject and I thank everyone for their testimony and input on this. We are then ready to vote. All of those in favor, please indicate by aye and register your vote. Aye. It's unanimous decision, 7-0 acceptance. Thank you, Mr. Berry and thank you for the presentations. All right.

CITIZEN PETITIONS

[Time: 01:00:51]

Mayor Lane: Our next order, we have to further Public Comment requests, and therefore, we are on to a citizen petition which was presented in Public Comment at the beginning of this session. All members of the Council have the petition in front of them, and that's to pass a resolution to prohibit vehicles having a gross weight of 10,000 pounds or having dual rear wheels, exceeding 17 inches and 1 ton chassis must not be parked in a residential lot. Do I have a motion? This is just a motion to take action and give direction or to take no action.

Councilwoman Littlefield: Mayor? I would like to make a motion that we consider this petition for the city of Scottsdale and this resolution. And that we come back with staff recommendations on how we can provide this kind of protection to the southern neighborhoods.

Mayor Lane: Okay. And specifically we give our direction to the City Manager to.....

Councilwoman Littlefield: Yes, to the City Manager.

Councilmember Korte: I will second.

Vice Mayor Phillips: Second.

Mayor Lane: The motion has been made and seconded. The motion has been made by Councilwoman Littlefield and second is made, I'm going to give this to Vice Mayor Phillips. If there's any further comment on it.

City Attorney Bruce Washburn: Mayor, excuse me. Just to be clear on this, the motion then is to take the action that's agendized to direct the City Manager to investigate the matter and prepare a written response to Council with a copy to the petitioner?

Mayor Lane: Yes, in essence.

Councilwoman Littlefield: Yes.

Bruce Washburn: Thank you.

Mayor Lane: All right. And no further requests to speak on this. We are then ready to vote. All those in favor, please indicate by aye and register your vote. It's unanimous to move this forward for recommended for action and asking the city manager to consider it and bring it back to us. So thank you very much. That completes our Regular Meeting.

MAYOR AND COUNCIL ITEMS

ITEM 25 - BOARDS, COMMISSIONS, AND TASK FORCE NOMINATIONS

[Time: 01:02:53]

Mayor Lane: And at this point in time, we would, the one remaining, I shouldn't say it completes it. The remaining item on this is for the Mayor and the Council for Task Force, for Boards and Commissions and Task Force nominations and for that purpose, I will turn it over to the Vice Mayor. Vice Mayor.

[Time: 01:03:07]

Vice Mayor Phillips: Thank you, Mayor. Okay. This evening, the City Council will be nominating Scottsdale residents interested in serving on citizen advisory boards and commissions. The eight boards and commissions with vacancies are the Citizen Bond Oversight Committee, Human Relations Commission, Human Services Commission, Loss Trust Fund Board, Judicial Appointments Advisory Board, Neighborhood Advisory Commission, Tourism Development Commission and the Transportation Commission. Individuals nominated will be interviewed at a Special City Council meeting on Tuesday, September 11th, with appointments following each set of interviews. So let's get started here.

CITIZEN BOND OVERSIGHT COMMITTEE

[Time: 01:03:51]

Vice Mayor Phillips: I believe we will start with the Citizens Bond Oversight Committee. There's one opening. The Citizens' Bond Oversight Committee receives reports on the City's progress in implementing the Bond Program, reviews any proposed project changes to the program and provides comments to the City Council with respect to the bond program as the Committee deems appropriate. One of the committee members, Bill Heckman resigned April 6th. There is one vacancy and one applicant. The applicant is Laraine Rodgers. I will now entertain nominations for the Citizens' Bond Oversight Committee. Each Councilmember can nominate one applicant. We'll start with Councilman Smith.

Councilman Smith: Laraine Rodgers.

Vice Mayor Phillips: Okay. So we have our nomination. Correct?

HUMAN RELATIONS COMMISSION

[Time: 01:04:39]

Vice Mayor Phillips: We move on to the Human Relations Commission. There's two openings. The Human Relations Commission advocates and promotes all dimensions of diversity. The Commission acts as an advisory body to the Mayor, City Council and staff to make recommendations on ways to encourage mutual respect and understanding among people, to discourage prejudice and discrimination, and to work towards cultural awareness and unity. Joseph Ettinger resigned on May 24, 2018. Lula Dae resigned on May 29, 2018. There are two vacancies and eight applicants. The applicants are Debra Behrendt, James Eaneman, Howard Jones, Jackie Parks, Emily Hinchman, Jennifer Martin, Amy Joy Cegielski, Donna Reid. I will now entertain nominations for the Human Relations Commission. Each Councilmember can nominate two applicants. I will start with Councilmember Korte.

Councilmember Korte: Thank you. James Eaneman and Jennifer Martin.

Mayor Lane: Howard Jones and Emily Hinchman.

Councilwoman Klapp: Jackie Parks and Debra Behrendt.

Councilwoman Milhaven: No additional.

Councilwoman Littlefield: No additional.

Vice Mayor Phillips: Okay. I just have this, okay, Donna Reid.

Councilman Smith: No additional.

Vice Mayor Phillips: Okay so the following nominations have been made, and we'll see you at the next meeting.

HUMAN SERVICES COMMISSION

[Time: 01:06:27]

Vice Mayor Phillips: The next one is Human Services Commission. There's two openings. The Human Services Commission provides advisory recommendations to staff and the City Council on human services priorities and programs, and funding allocations for Scottsdale Cares, Community Development Block Grants, HOME, Human Services Emergency and General Funds. Marty Day's term expires September 21st. She's not eligible for reappointment. Janice Eng's term expires September 21, 2018. She is eligible for reappointment and submitted an application for consideration. There are two vacancies and six applicants. The applicants are Ashley Blaine, and excuse me for this, Kanagaratnam Chinasamy, Janice Eng, Victoria Kauzlavich, Patricia Nightingale, Andrew Song. And I will now entertain nominations starting with the Mayor.

Mayor Lane: Yes, I nominate Janice Eng and Andrew Song.

Councilwoman Klapp: No additional.

Councilwoman Milhaven: Ashley Blaine.

Councilwoman Littlefield: Patricia Nightingale.

Vice Mayor Phillips: I have no additional.

Councilman Smith: And you will have to apologize, I have to apologize for the name too, but Kanagaratnam Chinasamy and no additional.

Councilmember Korte: Nice job on that, Councilman Smith. No additional.

Vice Mayor Phillips: Okay. So we have our nominations.

LOSS TRUST FUND BOARD

[Time: 01:08:03]

Vice Mayor Phillips: Moving on to the loss trust fund board, there's one opening. The Loss Trust Fund Board is responsible for recommendations to the City Council regarding the administration of the Loss Trust Fund. We currently have no applications on file for the Loss Trust Fund and so we will move on.

JUDICIAL APPOINTMENTS ADVISORY BOARD

[Time: 01:08:25]

Vice Mayor Phillips: Next the Judicial Appointments Advisory Board. We have two openings one the Scottsdale bar representative and one citizen. The Judicial Appointments Advisory Board makes advisory recommendations to the City Council regarding the appointment and reappointment of full-time city judges. Special Qualifications: The JAAB will consist of two active judges, one representative from both the State Bar and the Scottsdale Bar Associations, and three citizens appointed by the City Council, who are not judges in any official capacity, nor retired judges, nor members of the State Bar of Arizona. Per Ordinance No. 3254, the Council must appoint/reappoint members who are recommended from the Scottsdale Bar Association or the Arizona Superior Court. Sandra Schenkat resigned May 29. She represented a citizen position. James Paddish's term expired May 12th. He represented a Scottsdale Bar Association member. He is not eligible for reappointment. There are two vacancies and seven applicants. The applicants are Mary Jo Barsetti, Susan Galpin-Tyree, Robert F. Gruler Jr., Peter Mier, Courtney Brimacombe, John Gilbert, Ron King. We will start with Councilwoman Klapp.

Councilwoman Klapp: Courtney Brimacombe and John Gilbert.

Councilwoman Milhaven: Mary Jo Barsetti and Robert Gruler.

Councilwoman Littlefield: No additional.

Vice Mayor Phillips: I have no additional.

Councilman Smith: No additional.

Councilmember Korte: Susan Galpin-Tyree.

Mayor Lane: No additional.

Vice Mayor Phillips: Okay. We have our nominees.

NEIGHBORHOOD ADVISORY COMMISSION

[Time: 01:10:14]

Vice Mayor Phillips: Next Neighborhood Advisory Commission. We have one opening. The Neighborhood Advisory Commission advises and makes recommendations to the City Council on policies, plans, strategies and programs for the preservation, improvement and revitalization of Scottsdale's housing and neighborhoods. Michael Gonzalez's term expired May 22. He is not eligible for reappointment. There is one vacancy and six applicants. The applicants are John Baumer, Dominic Bilotti, Jonathan Budwig, Kevin Maldonado, Amanda Nash, Cherie Roy. I will now

entertain nominations for the Neighborhood Advisory Commission, starting with Councilwoman Milhaven.

Councilwoman Milhaven: Jonathan Budwig.

Councilwoman Littlefield: Kevin Maldonado.

Vice Mayor Phillips: Okay. I have no further. Did you say Jonathan Budwig?

Councilwoman Milhaven: Yes.

Vice Mayor Phillips: Mr. Smith.

Councilman Smith: Amanda Nash.

Councilmember Korte: No further.

Mayor Lane: John Baumer.

Councilwoman Klapp: No further.

Vice Mayor Phillips: Okay. We have our nominees.

TOURISM DEVELOPMENT COMMISSION

[Time: 01:11:43]

Vice Mayor Phillips: Moving on to Tourism Development Commission. We have two openings. One hotelier and one industry. The Tourism Development Commission advises the City Council on matters concerning the expenditure of revenues from the Transaction Privilege Tax on transient lodging, bed tax, designated for tourism development. Special Qualifications: As specified in the Scottsdale City Code, the Tourism Development Commission shall consist of representatives of the tourism industry in Scottsdale, including a minimum of four Scottsdale hoteliers, one member of the Scottsdale Convention and Visitors Bureau, and a balance from elements of the tourism industry. Frank Ashmore resigned May 2, 2018. He represented a hotelier position. Linda Dillenbeck's term expired May 22nd. She represents an Industry position. She is eligible for reappointment. There are two vacancies and five applicants. The applicants are Jeanne Alspaugh, Richard Newman, David Woods, Linda Dillenbeck, Thomas Prombo. I will now accept nominations, starting with Councilwoman Littlefield.

Councilwoman Littlefield: David woods and Jeanne Alspaugh.

Vice Mayor Phillips: Okay, I will do Linda Dillenbeck. Councilman Smith.

Councilman Smith: No other.

Vice Mayor Phillips: No others?

Councilman Smith: Richard Newman.

Councilmember Korte: No additional.

Mayor Lane: No additional.

Councilwoman Klapp: No additional.

Councilwoman Milhaven: No additional.

Vice Mayor Phillips: Okay. We have our nominees. I will take that as a yes.

TRANSPORTATION COMMISSION

[Time: 01:13:33]

Vice Mayor Phillips: And last but not least, the Transportation Commission, one opening. The Transportation Commission advises the City Council on matters relating to the safe and efficient movement of vehicles, transit, pedestrians and bicycles. The Commission provides a public forum to hear citizen complaints and requests regarding transportation matters. Gary Bretz's term expired July 1st and he's not eligible for reappointment. There's one vacancy and 20 applicants. The applicants are John Deniston, Brent Gayler, Dwayne Guthrie, Joseph Krasnov, Christine Lavelly, Dennis Mowery, Michael Penn, Paul Schleipfer, Carl Stein, Anne Travous, David Dubner, Candace Gimbel, K.C. Kanaan, B. Kent Lall, Thomas Mayo, Joshua Palmer, Garrick Schermer, Kenneth Sharp, Macklin Thomas, Peggy Young. And so we will start entertaining nominations. I guess I will be the first and pick John Deniston and Brent Gayler.

Councilman Smith: I think we only pick one.

Vice Mayor Phillips: Oh, Deniston.

Councilman Smith: Guthrie.

Councilmember Korte: Peggy Young.

Mayor Lane: Kent Lall.

Councilwoman Klapp: Brent Gayler.

Councilwoman Milhaven: No additional.

Councilwoman Littlefield: David Dubner.

Vice Mayor Phillips: Okay. That's it. All right. So this concludes our nomination process. City staff will contact those who were nominated and provide them with additional information about the interview process. I would like to take this opportunity to sincerely thank all who applied to serve on a citizen advisory board or commission. Even if you were not nominated, your application will remain on file for one year for consideration at a future date, and please try again. Thank you. I will turn it back over to the Mayor.

Mayor Lane: Thank you, Vice Mayor. Nice job on that. And that does complete our work for this evening, unless there's any other items that the Council would like to bring up?

ADJOURNMENT

[Time: 01:15:48]

Mayor Lane: And I would say that we are then for an adjournment or a motion to adjourn.

Councilwoman Klapp: Move to adjourn.

Councilmember Korte: Second.

Mayor Lane: Motion made and seconded. All those in favor of adjournment, please indicate by aye. We are adjourned. Thank you all very much.