

A break was held from 7:26 p.m. to 7:39 p.m.

7. City Code Amendments – Property Maintenance Update.

Roger Eastman, Zoning Code Administrator, presented a PowerPoint presentation on amendments of the City Code regarding the Property Maintenance Ordinance.

- ▶ Meeting Purpose
- ▶ Activity since April 10th Work Session
- ▶ 1805-1811 Arrowhead Ave
 - There was a young lady living in that home, worked with the property owner to bring the interior up to code and it is now habitable.
 - Success with getting the structure habitable.
- ▶ 523 Ernest Street
 - There has been action on this property
 - Ultimately the property owners want to keep property themselves
 - Letter to owner stating that home must be brought up to code or the City will conduct repairs and lien the property
- ▶ 1726 North Kutch Drive
 - The property owner vacated the property and is currently in a disgusting state.
 - Structure was breached and vandalized
 - All avenues have been exhausted.
 - County health official will be brought in to determine health risk.
 - Extremely overgrown, nothing in current code to address outside of findings from health inspector.
- ▶ Existing City Code Provisions
 - Title 4 – Building Regulations – 1997 Abatement of Dangerous Buildings Code and 1997 Uniform Housing Code
 - Chapter 6-04 – Nuisances
 - Chapter 6-06 – Littering
 - Chapter 6-07 – Abandoned Vehicles
- ▶ Suggested Path Forward
 - Title 4 - No amendments needed – continue to apply and enforce by Building Officials
 - Nuisances - Repeal and replace with up-to-date and objective standards
 - Littering & Abandoned Vehicles– really out of date. Suggest simplifying and updating the standards. Correct state statute citations.
- ▶ An Option for Implementation
 - Housing Rehabilitation Program – Housing Section
 - Apply program and having a funding source in place to assist in repairs.

Council requested that the City continue to work with homeowners to attempt to come to a reasonable solution for all. Ultimately there is no action until the City says "or else" and they need to be prepared to enforce.

Mike Scheu, Building Official, explained that there have been a few instances where the City has had to demolish a structure.

Council expressed frustration at having a code like this in place with no enforcement. It is necessary to formulate a code that is effective and enforced.

There is concern about the interpretation of section 302 as it is currently presented and the protection of personal property rights. It will be important to make sure that the same things can be accomplished with the appropriate intent spelled out.

Mr. Scheu explained that previous legal opinion has not allowed for any further action if a property is boarded up and secure. Current legal staff is taking a different approach and are supportive for further enforcement of the code.

After discussion, Council agreed that Title 4, section 302 Dangerous Building is the best way to proceed. However, this section needs to be fine tuned, tightened up, clarified and enforced. Council requested that staff draft revisions to section 302 that tighten it up and clarify things; additionally, they would like staff to move forward with drafting the other recommended changes to the code.

David Monihan, Flagstaff, lives on Kutch and recognizes the problem. Mr. Monihan urged Council be equitable with the enforcement and looks forward to seeing the suggested revisions.

Andy Fernandez, Flagstaff, addressed Council with his concern that many of these properties are housed by tenants with limited funds.

Council agreed with the timeline of getting the zoning code amendments completed first and following up with these revisions shortly thereafter.

8. Presentation on Finance Chapter of the Parks and Recreation Organizational Master Plan.

Brian Grube, Recreation Manager, and Barbara Goodrich, Management Services Director, presented a PowerPoint presentation on the finance chapter of the P&R Master Plan.

A majority of Council is supportive of moving forward with the 1st Maintenance Option of increasing BBB Parks to a service level 2, no FUTS construction, and Keep Recreation programming. Councilmember Woodson suggested an alternative to this of maintaining all parks at a service level 3.