

## MINUTES

### 1. CALL TO ORDER

Mayor Deasy called the meeting of the Flagstaff City Council held September 21, 2021, to order at 3:03 p.m.

#### NOTICE OF OPTION TO RECESS INTO EXECUTIVE SESSION

*Pursuant to A.R.S. §38-431.02, notice is hereby given to the members of the City Council and to the general public that, at this regular meeting, the City Council may vote to go into executive session, which will not be open to the public, for legal advice and discussion with the City's attorneys for legal advice on any item listed on the following agenda, pursuant to A.R.S. §38-431.03(A)(3).*

### 2. ROLL CALL

*NOTE: One or more Councilmembers may be in attendance telephonically or by other technological means.*

PRESENT:

ABSENT:

MAYOR DEASY  
VICE MAYOR DAGGETT  
COUNCILMEMBER ASLAN  
COUNCILMEMBER MCCARTHY  
COUNCILMEMBER SALAS  
COUNCILMEMBER SHIMONI  
COUNCILMEMBER SWEET

Others present: City Manager Greg Clifton; City Attorney Sterling Solomon.

### 3. PLEDGE OF ALLEGIANCE AND MISSION STATEMENT

The Council and audience recited the pledge of allegiance and Councilmember Shimoni read the Mission Statement of the City of Flagstaff.

Mayor requested a moment of silence in honor of a member of Team Flagstaff who passed away.

#### MISSION STATEMENT

*The mission of the City of Flagstaff is to protect and enhance the quality of life for all.*

#### 4. **PUBLIC PARTICIPATION**

*Public Participation enables the public to address the Council about an item that is not on the agenda. Comments relating to items that are on the agenda will be taken at the time that the item is discussed. If you wish to address the Council at tonight's meeting, please complete a comment card and submit it to the recording clerk as soon as possible. Your name will be called when it is your turn to speak. You may address the Council up to three times throughout the meeting, including comments made during Public Participation. Please limit your remarks to three minutes per item to allow everyone an opportunity to speak. At the discretion of the Chair, ten or more persons present at the meeting and wishing to speak may appoint a representative who may have no more than fifteen minutes to speak.*

None

#### 5. **PROCLAMATIONS AND RECOGNITIONS**

##### A. **Proclamation:** Adult Education and Family Literacy Week

The City Council approached the podium and Mayor Deasy read and presented the Adult Education and Family Literacy Week proclamation.

##### B. **Proclamation:** Flagstaff Symphony Orchestra 72<sup>nd</sup> Season

The City Council approached the podium and Mayor Deasy read and presented the Flagstaff Symphony Orchestra 72<sup>nd</sup> Season proclamation.

#### 6. **CITY MANAGER REPORT**

##### A. **City Manager Report**

Mr. Clifton briefly reviewed his report.

#### 7. **COUNCIL LIAISON REPORTS AND INFORMATIONAL ITEMS AND REPORTS FROM COUNCIL AND STAFF**

Vice Mayor Daggett reported that the 10-Year Housing Plan will be released from the Housing Commission in the near future. She reported that she met with the Deputy Consul General for the Mexican Consulate at the Sunnyside Celebration. She attended the NACA 50<sup>th</sup> Anniversary celebration and she reminded the public that the Festival of Science is coming up.

Councilmember Aslan reported that the Coconino Plateau Water Advisory Council will be holding their annual field trip later that week to Babbitt Ranch.

Councilmember McCarthy reported that he toured the Tynkertopia facility the prior week and encouraged everyone to visit. He also attended the Pickin in the Pines Festival.

Councilmember Salas reported that the Parks and Recreation Commission was unable to meet that month due to lack of quorum. She attended the ribbon cutting ceremony for a new program that introduces students to beer brewing and provide an opportunity to earn certification and intern with microbreweries in Flagstaff.

Councilmember Shimoni also attended the NACA Anniversary event as well as the Tribal

Summit Health Choice event.

Councilmember Sweet reported that the Beautification and Public Art Commission will be holding its annual budget retreat on September 29, 2021. The deadline to submit applications for the Beautification in Action grants is coming up soon.

Mayor Deasy reported that he attended the NACA Anniversary celebration. He also reported that it is the 40<sup>th</sup> anniversary of the Assistance League of Flagstaff. He reported that there is a Special Work Session of Council on Friday, September 24, 2022 to discuss the Alternate Response Program. He recognized James Turrell, a 44 year resident who was awarded the Japan Art Association's Praemium Imperiale award for his sculpture work. Lastly, he reported that the Commission on Diversity Awareness is excited about the upcoming Land Acknowledgement discussion.

## 8. **COVID-19 UPDATE**

### A. **COVID-19 Update**

Deputy City Manager Shannon Anderson provided a PowerPoint presentation that covered the following:

AGENDA  
CCHHS: COVID-19 WEEKLY CASES  
CCHHS: HOSPITAL ADMISSIONS  
CCHHS: COVID-19 RELATED DEATHS  
CCHHS: COMMUNITY TRANSMISSION  
CCHHS: COMMUNITY VACCINATION  
CCHHS: VARIANTS  
NAH: HOSPITAL CENSUS

Coordinator for Indigenous Initiatives Rose Toehe continued the presentation.

INDIGENOUS NATIONS DATA  
NAVAJO NATION  
HOPI TRIBE

Council thanked Ms. Anderson and Ms. Toehe for the report.

## 9. **LIQUOR LICENSE PUBLIC HEARINGS**

Mayor Deasy opened the public hearing for all applications.

Police Sergeant Ryan Turley introduced the two applications noting no concerns.

There being no public comment Mayor Deasy closed the public hearing.

**Moved by** Mayor Paul Deasy, **seconded by** Councilmember Miranda Sweet to forward the applications to the State with a recommendation of approval.

**Vote:** 7 - 0 - Unanimously

- A. **Consideration and Action on Liquor License Application:** Bryan James Lubbehusen, "Square Root Foods," 2223 E. 7th Avenue, Series 10 (beer and wine store), New License.
- B. **Consideration and Action on Liquor License Application:** Ryan Witner Anderson, "Target," 1650 S. Milton Road, Series 09 (liquor store - all spirituous liquor), New Application.

10. **ROUTINE ITEMS**

- A. **Recognition of Bus Art Winners and Ratification:** Beautification and Public Art Commission recommendations for Bus Art Project on Climate Change and Hope

Beautification and Public Arts and Sciences Manager Eliza Kretzman provided a PowerPoint presentation that covered the following:

BUS ART ON CLIMATE CHANGE AND HOPE  
BACKGROUND  
RECOGNITION OF SELECTED ARTISTS  
LUKE GILES  
DANA KAMBERG  
NATE NISE  
BEAU ARENAS ORTIZ  
KAYLEY QUICK

Council expressed their gratitude for the presentation and congratulated the selected artists. They appreciated the inclusions of hope with the messages of climate change and were impressed with the collaboration between commissions, Mountain Line, and local schools.

**Moved by** Mayor Paul Deasy, **seconded by** Councilmember Jim McCarthy to ratify the contracts awarded by the Beautification and Public Arts Commission related to a bus art project on climate change and hope.

**Vote:** 7 - 0 - Unanimously

- B. **Update and Review:** Working Calendar and Future Agenda Item Requests

City Clerk Stacy Saltzburg reviewed the Working Calendar and pending Future Agenda Item Requests. Council was appreciative of the update and thanked staff for their work on preparing the upcoming topics for discussion.

11. **REGULAR AGENDA**

- A. **Consideration and Adoption of Ordinance No. 2021-22:** An ordinance of the City Council of the City of Flagstaff clarifying the duties of the Beautification and Public Art Commission, and clarifying that the Procurement Code Manual procedures apply to expenditures for Arts and Sciences and Beautification funds; providing for repeal of conflicting ordinances, severability, and establishing an effective date.

City Attorney Sterling Solomon introduced the item and stated that the ordinance is needed for some clean up regarding the duties of the Beautification and Public Art Commission.

The amendments will allow small dollar amount contracts to be processed efficiently and allow Council to provide direction to the commission. This is consistent with current practices and just needs to be clarified accordingly in the city code.

*AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, ARIZONA CLARIFYING THE DUTIES OF THE BEAUTIFICATION AND PUBLIC ART COMMISSION, AND CLARIFYING THAT THE PROCUREMENT CODE MANUAL PROCEDURES APPLY TO EXPENDITURES OF ARTS AND SCIENCES AND BEAUTIFICATION FUNDS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY, AND ESTABLISHING AN EFFECTIVE DATE*

**Moved by** Councilmember Jim McCarthy, **seconded by** Mayor Paul Deasy to read Ordinance No. 2021-22 by title only for the first time.

**Vote:** 7 - 0 - Unanimously

- B. Consideration and Adoption of Resolution No. 2021-43 and Ordinance No. 2021-21:** A resolution of the Flagstaff City Council declaring as a public record that certain document filed with the City Clerk and entitled "Nuisance Noise Code Amendments;" and an ordinance of the City Council of the City of Flagstaff, amending the Flagstaff City Code, Title 6, Police Regulations, Chapter 6-08, Noise Control, by adopting by reference that certain document entitled "Nuisance Noise Code Amendments;" providing for penalties, repeal of conflicting ordinances, severability, and establishing an effective date

Deputy Police Chief Frank Higgins provided a PowerPoint presentation that covered the following:

NUISANCE NOISE  
 NUISANCE NOISE ORDINANCE  
 WHAT IT COVERS  
 HOW NOISE WILL BE MEASURED  
 COUNCIL OPTIONS  
 PROPOSED PENALTIES AND PROCESS

The following individuals addressed Council in support of an ordinance to address nuisance noise:

- Robyn Cass
- Michael Collier
- Rose Houk

The following comments were received:

- Nuisance noise has significantly increased over the years.
- The noise impacts people's lifestyle and wellbeing.
- Please continue conversations about a possible ordinance to address noise.
- If the mission of the City is to protect and enhance the quality of life for all, why does it allow nuisance noise to continue.
- Consider the community's tolerance for unnecessary vehicle noise.
- Boise, Idaho restricts noise to 90 decibels at 20 feet; Flagstaff should consider the same.
- Nothing more than common sense is needed for enforcement.
- Noise in Townsite has gotten particularly bad in the last year and a half.
- Enforcement is needed to educate and fine perpetrators.

The following individuals submitted written comments in support of a nuisance noise ordinance:

- Ellen Ryan
- Judy Finney

Councilmember McCarthy asked what enforcement would look like. Deputy Chief Higgins stated that it would likely consist of all traffic squads being trained so when they are tracking speed they can also monitor noise. There would need to be some specialized equipment used so there is no subjectivity in enforcement and to ensure that there is something concrete to prove in court. Senior Assistant City Attorney Marianne Sullivan added that specialized equipment is necessary because one person's view of what is a nuisance may be very different than someone else. Having established limits and ways to quantify the limits is important.

Councilmember McCarthy stated that he appreciates starting the process and discussion about putting something in place. He believes that more work is needed, and he suggested a future Work Session to further discuss.

Vice Mayor Daggett stated that she would be comfortable with postponing any action to allow more time to consider the process and how things would work.

Councilmember Salas also voiced support for postponing action and having a future Work Session. She asked if there were cases from other cities and towns with similar ordinances. She expressed concern about the budgetary impacts and would like to see more analysis in terms of equipment costs, certification costs, and recertification. She was also concerned about the impact on the operations of the Department given their current vacancies and workload; nuisance calls will likely be the lowest priority and while she wants to see the matter addressed an effective enforcement structure is needed.

Ms. Sullivan indicated that she did not find any cases but she can do a more comprehensive search to see if there is anything that would provide more guidance.

Councilmembers Sweet and Shimoni indicated their support for postponing action and holding a future Work Session to discuss further.

Councilmember McCarthy requested a summary on the allowable noise levels at parks to aid in the future discussion.

Mayor Deasy stated that he would like to move the ordinance forward with a hard limit of 88 decibels. He is concerned that going to a Work Session would be moving in the wrong direction and would like to see something put into place sooner rather than later.

A majority of Council was supportive of postponing the item until after a Work Session could take place.

A break was held from 4:56 p.m. through 5:17 p.m.

## **12. DISCUSSION ITEMS**

### **A. Lone Tree Overpass Project Update**

ITEM POSTPONED TO A LATER DATE

**B. Public Release of Draft Active Transportation Master Plan**

Multi-Modal Transportation Planner Martin Ince provided a PowerPoint presentation that covered the following:

DRAFT ACTIVE TRANSPORTATION MASTER PLAN  
INTENT OF THE ATMP  
CONTENTS  
APPROACH (THE BIG SHIFT)  
POLICY SUPPORT  
STRATEGIES AND ACTIONS  
PED/BIKE INFRASTRUCTURE  
PLANNING AND DESIGN GUIDANCE  
PROCESS  
PUBLIC REVIEW  
OPEN HOUSES  
COMMUNITY SURVEY  
COUNCIL ROLE  
FLAGSTAFF ATMP WEBSITE

Councilmember Shimoni expressed excitement about the effort moving forward. He requested a one-page graphic that could direct people to the different informational resources.

Councilmember Aslan asked how Proposition 419 money could be invested in critical infrastructure needs if the John Wesley Powell extension was not built out. There will be conversation in the community about whether the extension project should happen.

City Engineer Rick Barrett stated that only 40% of the John Wesley Powell extension would be funded by Proposition 419 funds. The extension will connect Pine Canyon to the Butler Avenue and Fourth Street intersection. They are nearing completion of the engineering portion and they are working on the Regional Plan amendment. Council will be heavily involved in many of the details and there will be a lot of public involvement along the way.

Councilmember Salas noted that the John Wesley Powell extension is stipulated in the Regional Transportation Master Plan which was developed by many partners within the community. The Council has advocated for funding for the extension. The discussion about the ATMP needs to focus on how the goals coincide and compliment the Regional Transportation Master Plan goals.

**C. Discussion of Letter Regarding 4FRI RFP Cancellation**

Interim Public Affairs Director Sarah Langley and Wildland Fire Manager Neil Chapman explained that the U.S. Forest Service decided to cancel the Four Forest Restoration Initiative Phase 2 request for proposals (RFP). The Forest Service indicated that the RFP requirements were not aligned with industry standards and that the project involves significant financial and investment risks that are unresolved.

The letter for consideration highlights the City's commitment to forest restoration and its desire to see such project advance and continue.

Councilmember McCarthy requested that resulting flooding should also be noted in the letter. With that addition, Council was supportive of sending the letter to the U.S. Forest

Service.

### 13. **FUTURE AGENDA ITEM REQUESTS**

*After discussion and upon agreement by three members of the Council, an item will be moved to a regularly-scheduled Council meeting.*

- A. Future Agenda Item Request (F.A.I.R.)** A Citizens' Petition seeking to "designate that Woody Way Traffic is a one-way street westbound only. Allowing for emergency vehicle access."

Petitioner Brianne Hall introduced the petition asking Council to close Woody Way to westbound traffic. She expressed concern about safety in the area stating that the 90 degree turn is difficult to navigate especially when cars are speeding. Too many vehicles are now funneling through the area and putting lives and property at risk.

Transportation and Engineering Project Manager Stephanie Santana provided a PowerPoint presentation that covered the following:

OUTLINE  
VICINITY MAP  
ROLE OF TRANSPORTATION COMMISSION  
BACKGROUND/HISTORY OF WOODY WAY  
CITY TRAFFIC STUDY  
RECENT DATA  
CURRENT PILOT PROJECTS  
RADAR FEEDBACK SIGNS  
NEXT TRAFFIC COUNTS  
UPCOMING DISCUSSIONS WITH TRANSPORTATION COMMISSION

The following individuals addressed Council in support of the citizen petition:

- Garrett Hall
- Melody Bowling

The following comments were received:

- Boulder Point streets are narrow and when cars park on both side of the street it is narrowed to one way which requires vehicles to stop and sometimes back up to allow others to pass.
- Woody Way should be one way only.
- Frustrations between drivers are high.
- The narrow streets combined with speeding drivers is highly dangerous.
- This is a quality of life issue as much as it is a safety issue.
- Noise is a big issue now.
- People have willful disregard for the law and feel like they can come through our neighborhood.
- Drivers are in a hurry and they are extremely disrespectful.
- The traffic calming measures are nowhere near where this intersection is and no one stops at the stop signs.
- A permanent solution is needed to address the issue.

Written comments in support of the citizen petition were submitted by the following:

- Jason Nackard

Written comments in opposition to the citizen petition were submitted by the following:

- John Forsythe
- The Presidio in the Pines Board of Directors
- Crystal Graziano
- Robert Davis
- Elizabeth Jorgensen Winslow
- Don and Lynne Luker

Councilmember Shimoni stated that similar issues are occurring in other areas of the community. Narrow roads encourage slower speeds. He is eager to see what comes out of the commission discussions regarding the matter. He would like to have the matter run through the proper course and then come back to Council with recommendations from the commissions and staff. He asked staff to consider options that do not negatively impact bicyclists and pedestrians.

Councilmember Aslan indicated that he supports the petition and is ready to shut down the road and then discuss other measures.

Vice Mayor Daggett acknowledged the challenges being faced by residents. She would like the Transportation Commission and staff to determine the best course of action. There is a big problem all around town with angry drivers driving too fast and being aggressive without thinking about consequences. People need to slow down and respect neighborhoods.

Councilmember Sweet noted the increasing traffic and indicated that she does want to know the results of the studies and commission discussions before making a decision.

Councilmember McCarthy indicated that prior to Presidio in the Pines being built, Council had a discussion about whether the road should be open or closed and at that time Council made the decision to keep the road closed during construction and that when the construction was done the road would be opened. That was the promise to the people in Presidio.

Mayor Deasy recognized the frustration felt by the neighborhood and stated that similar issues exist in other areas of the community. Something needs to be done but it should go through the proper process with the commissions and staff.

A majority of Council supported placing the item on a future agenda for discussion. Council asked staff to compile the results of the traffic analysis and meet with the commissions prior to the discussion with Council.

#### **14. CITY COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS**

Mr. Clifton noted that staff made a small change to the agenda and separated the To/From section from the Request for Future Agenda Items. To/From would occur at the beginning of the meeting and then the Future Agenda Item Requests would come towards the end of the agenda. Staff is looking for feedback on whether Council would like to continue the new format.

Councilmember Shimoni stated that he appreciates giving closing words at the end of the meeting and would support keeping To/From together with Future Agenda Item Requests at the end of the meeting. Council agreed they would like to keep the format as it was with To/From and Future Agenda Item Requests combined at the end of the meeting.

Councilmember Salas expressed words of compassion and sympathy for the family, friends, and co-workers of Bret Peterson. She also encouraged the public to donate supplies such as face masks and personal hygiene products to Flagstaff Shelter Services. She also recognized staff involved with the Fourth Street bridge, the City was recognized for the design that improved safety for vehicles, cyclists, and pedestrians.

**15. ADJOURNMENT**

The Regular Meeting of the Flagstaff City Council held September 21, 2021, adjourned at 6:35 p.m.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

**CERTIFICATION**

I, STACY SALTZBURG, do hereby certify that I am the City Clerk of the City of Flagstaff, County of Coconino, State of Arizona, and that the above Minutes are a true and correct summary of the Meeting of the Council of the City of Flagstaff held on September 21, 2021. I further certify that the Meeting was duly called and held and that a quorum was present.

DATED this 1st day of November, 2022.

\_\_\_\_\_  
CITY CLERK