

PETITION TO FLAGSTAFF CITY COUNCIL
Pursuant to Flagstaff City Charter Article II Section 17
and Flagstaff City Code Title I Chapter 12

RECEIVED
APR 18 2023
BY: *Stray*

Pursuant to the Flagstaff City Charter and the City Code, any citizen (resident) of the City may present a written petition to the City Manager, signed by a minimum of 25 citizens from the City of Flagstaff, which shall be presented to the City Council.

Title of Issue: Heavy Industrial Adjacent to Residential _____
Action Requested:

Re-evaluate usage of these parcels to provide a level of safety to the surrounding communities.

Give parcel APN 113-10-001R a proper access through City land APN 113-06-003 AND 113-06-004 to access N. El Paso Flagstaff Road as option #1 or through city and then County property to access Empire. The land behind the hill is the same character and the City should give an easement to allow access.

Printed Name of Submitter: Joelle Wirth
(Submitter must also sign below and complete information)

Contact Information: 928.853.9994 joellew86004@msn.com
(PHONE NUMBER AND/OR E-MAIL ADDRESS)

PETITION SIGNATURES

DATE SIGNED	PRINTED NAME	RESIDENCE ADDRESS	SIGNATURE
4-13-23	Joelle Wirth	6275 N. Dodge Ave.	<i>Joelle Wirth</i>
4/13/23	Bonnie Milligan	6265 N. Dodge	<i>Bonnie Milligan</i>
4/13/23	Phillip Milligan	6265 Dodge Ave	<i>P. Milligan</i>
4/13/23	JULIAN BOWERS	6225 N DODGE AVE	<i>Julian Bowers</i>
4/13/23	Debra Bowers	6225 N Dodge Ave	<i>Debra Bowers</i>
4-13-23	SERGEI K.	6275 N. DODGE	<i>Sergei K.</i>
4-13-23	Elizabeth Goodman	4940 E TRAILS END DR.	<i>Elizabeth Goodman</i>
4/13-23	Karen Castro	4930 E. Trails End Dr.	<i>Karen Castro</i>
4/13/23	Jessica Castro	4930 F. Trails End Dr.	<i>Jessica Castro</i>
4/13/23	Dennis Spurle	3372 N Estates St	<i>Dennis Spurle</i>

RECEIVED BY CITY OF FLAGSTAFF

TITLE OF ISSUE: Heavy Industrial Through Residential PAGE _____ OF _____

DATE SIGNED	PRINTED NAME	RESIDENCE ADDRESS	SIGNATURE
04/15/2023	Derek Goodman	4940 C Trails End Dr.	
4/15/2023	Karl Heim	6340 N. Mountaineer RD	
4/15/2023	JEFF O'clair	4885 warrior Dr.	
4/15/2023	Summer Covey	6200 N Mountaineer	
4/15/2023	Susan McPeters	6085 N Mountaineer	
4/15/2023	Vrendi R. Will	6045 N. Mountaineer	
4/15/2023	Robert D. Woodruff	6045 N. Mountaineer	
4-16-2023	Denise West	6155 N. Dodge Ave.	
4/16/2023	Luke Snyder	6230 N. Dodge	
4/16/23	Meredith Poe	6150 N. Dodge	
4/16/23	Phillip SANDBAKER	6145 N. Dodge	
4-16-23	Cindy Martin	4976 E Halfman	
4/16/23	V. Michelle Brown	V. Michelle 6135 N Dodge	
4/16/23	RUBEN SEDILLO	6215 N DODGE	
4/16/23	Connie Sedillo	6215 N Dodge Ave	
4/17/23	STUART KLIMANN	6120 N. DODGE AVE.	
4/17/23	Rebecca Cook	6075 N. Dodge Ave	
4/17/23	Chasen Hyder	6065 N. Dodge Ave	
4/17/23	Avanne Hyder	6065 N. Dodge Ave	
4-17-23	Cindy Miller	6090 N Smokerise	
4-17-23	STEEVE MILLER	6090 N Smokerise	
4-16-23	Cindy Santiago	6045 N. Smokense Dr.	
4-16-23	JONATHAN GIRDNER	5995 N. Broken Arrow Rd	

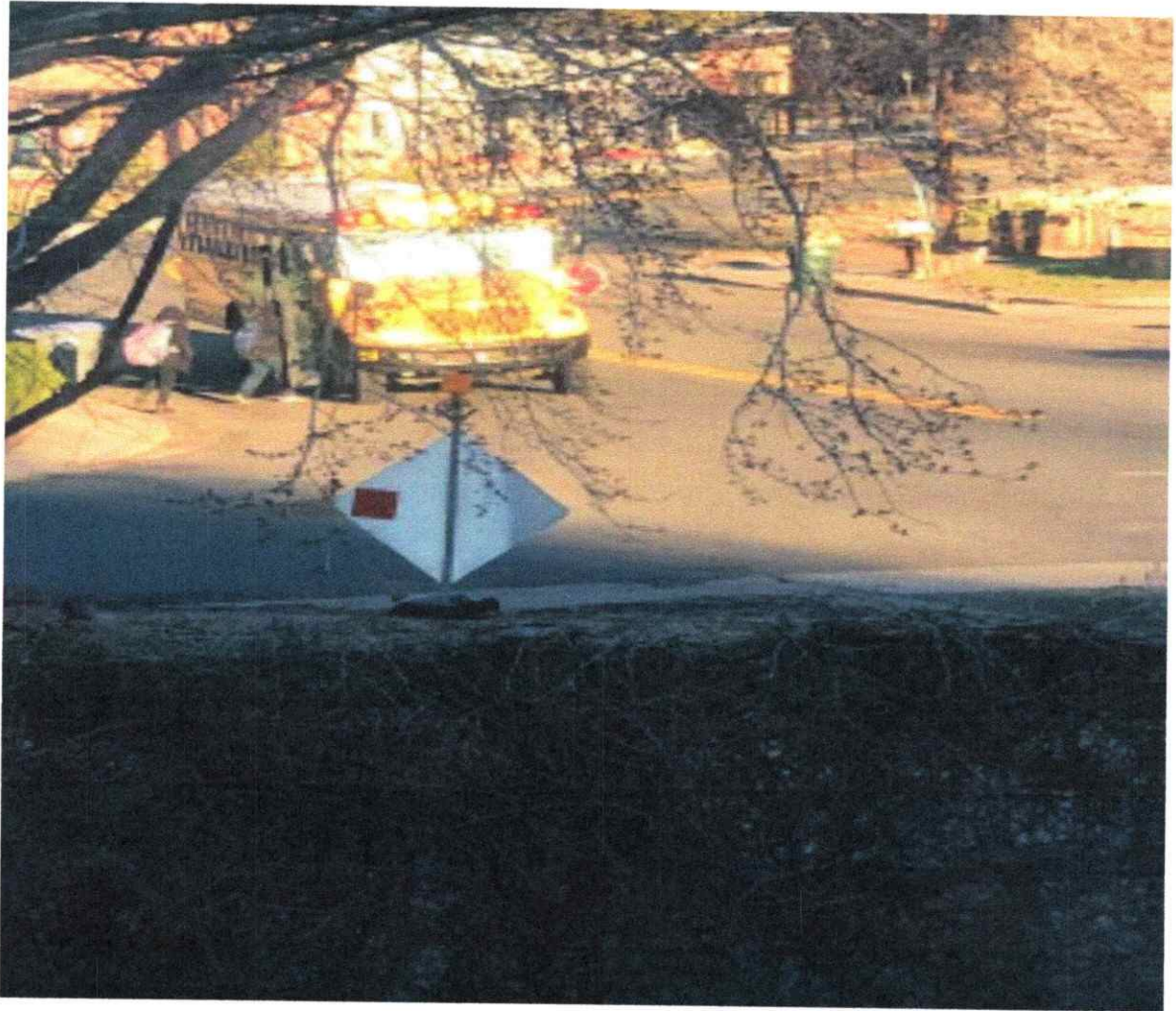
Table of Contents for Handouts

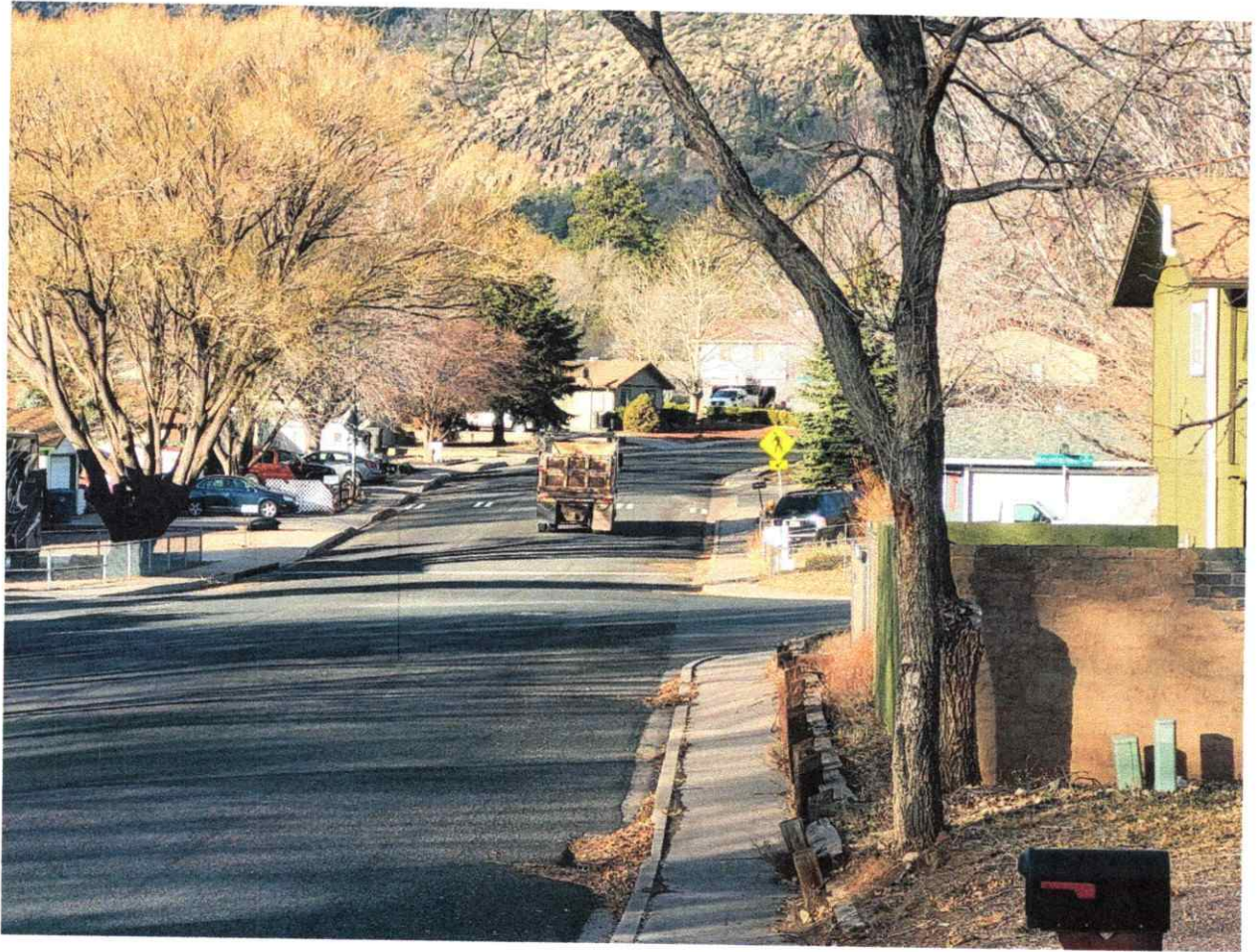
1. Signage in the neighborhood prohibiting heavy vehicles
2. School bus stop at Trails End and Mountaineer- in Heavy Industrial routs
3. HI vehicles cutting through the neighborhood
4. HI close up by pedestrian crossing to play area
5. Additional HI vehicle cutting through neighborhood
6. HI Vehicle close up
7. Billy Todd truck taking asphalt up Trails End Retreat w/o operational permits
8. Heavy equipment creating dust
9. Picture of HI yard
10. material dumping creating dust
11. Signage placed in March without approval from the city
12. Signage knocked over but was placed w/o permission and directing traffic
13. Modular home placed at the site w/o permit

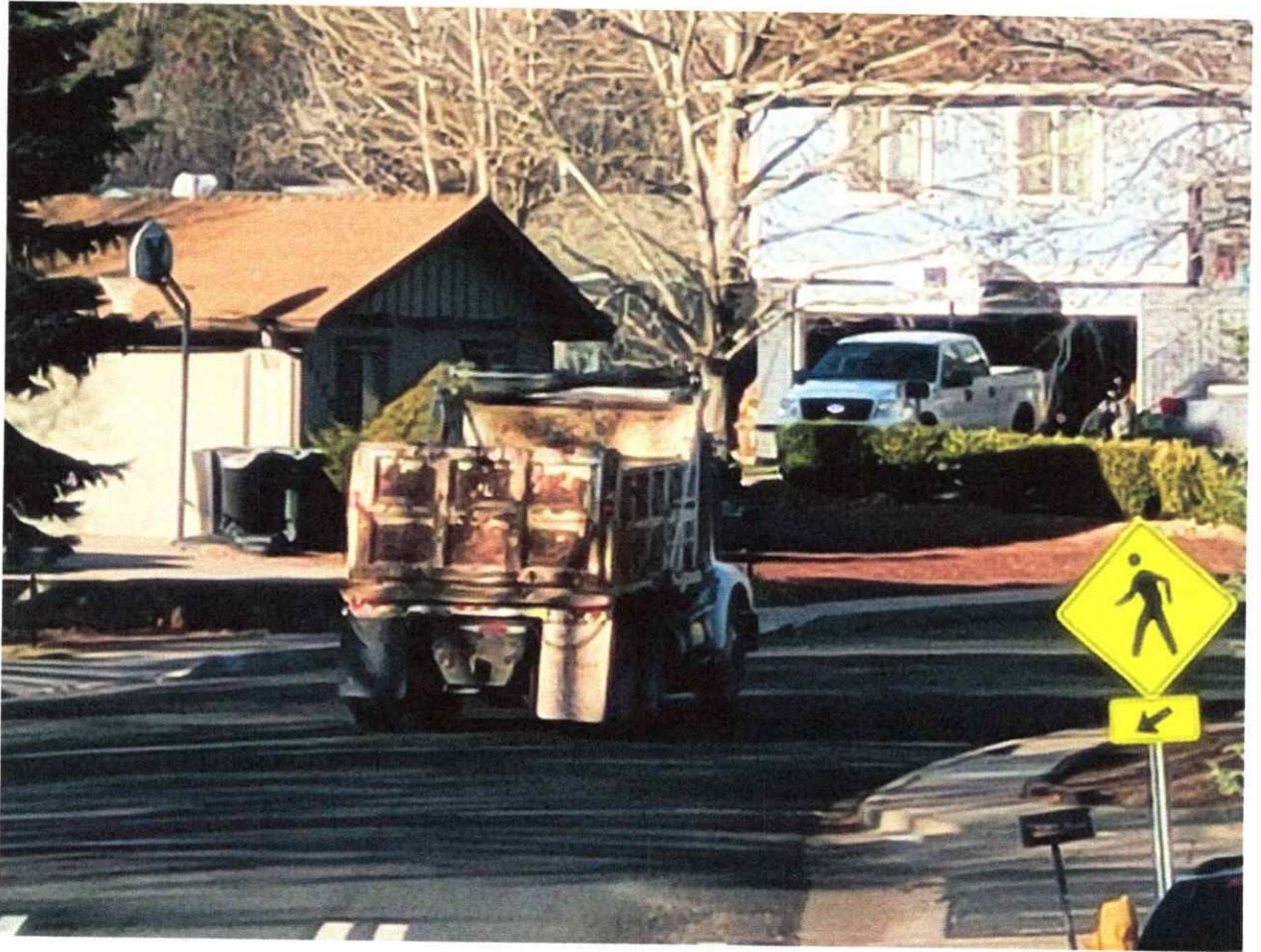
Neighborhood Concerns

Safety Data Sheet for Limestone











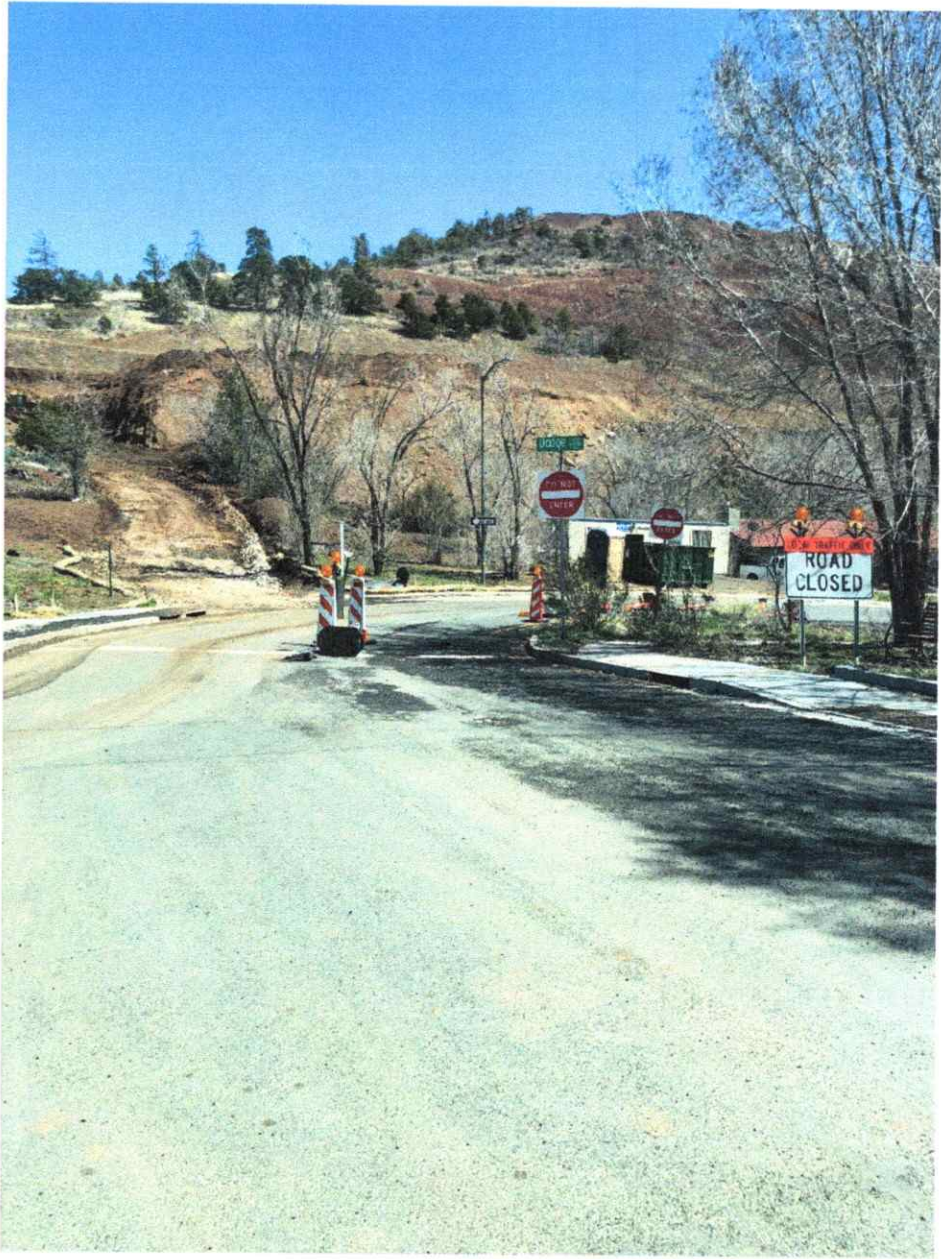
















Neighborhood Concerns:

Heavy equipment entering through residential areas.

1. Large trucks, semis with trailers, heavy equipment. These are all accessing the HI site through Trails End - a residential area.
2. Signage on Trails End prohibits gross vehicle weight of greater than 26,000 lbs. It is estimated that the majority of the trucks entering this site are 60,000+ lbs.
3. There are two commercial facilities on the corner of Trails End and 89 and they are the US Park Service and the Indian Health Services (IHS) facilities. Both of these facilities have gone on record to state they are using the neighborhood to exit their facilities. Whatever happens with this project lights need to be provided at the highway.
4. There is a school bus stop on the corner of Dodge and Mountaineer.
5. During Covid the HIS facility had vehicles backed up down Trails End and also through Mountaineer. If we were to experience a medical emergency again there is insufficient room on the roadway for residents to access their homes with backed up vehicles and large commercial trucks on the roadway. The normal vehicular traffic blocked residents from street side parking and their driveways.
- 6.7. We have children and small pets that cross the roads and these large vehicles which are speeding through the neighborhood cannot stop quickly.
8. The Fire Marshall visited the site to see if Asphalt is being stored up there. Asphalt is flammable and with such close proximity to residents and the forest should be monitored. Although he didn't see much, it is being stored there, per the newsletter by Mr. Todd. But the Fire Marshall did say that the required emergency exit at Trails End Retreat was blocked off by boulders and must be reopened. Trails End Retreat is not a wide street and with streetside parking due to the small driveways it would be very difficult for a firetruck to access the site. The emergency access has not yet been reopened.

Air Quality

1. The operator is transporting and crushing limestone to repurpose it. Limestone is a Category 1A carcinogen with a specific target organ toxicity of Category 2. Hazards include: may cause cancer, damage to organs and lungs through prolonged repeated exposure, skin irritation, and serious eye irritation.
2. Houses at the top of the hill have been observed in clouds of dust. The house at the very top of Trails End Retreat has been pressure washed due to the dust coating their home. They should not be living there with that much dust; it is inside their home, and they have an infant child. The other homes and *occupants are in danger as well.*
3. In a recent post on the Next-Door App Billy Todd stated; we are required to take a Method 9 course every 6 months to measure the opacity of the dust we create to assure we are not creating more than allowed per ADEQ.

to operate under a permit that does not allow them to create dust and they must take a method 9 course 2 x a year. Calls are in to ADEQ Air Quality to see if this testing is sufficient or if the amount of accumulation on the exterior of the existing homes would justify additional concerns.

Owner-Operator

1. The owner, Billy Todd, has proven to not be a rule follower.
 - a. He started operations of trucking material to the site On December 2, 2022, without full compliance with the City of Flagstaff. He did stop when asked repeatedly by the city.
 - b. He set up traffic diversions two separate times without approval from the City and directed traffic down Dodge which is one way and no entry. The first in March and the second this April.
 - c. He placed a modular home up on the property without obtaining permits from the city. Are mobile homes allowed in this area and does the current modular meet setbacks.
 - d. Mr. Todd says he will police the trucks from cutting through the neighborhood. This is not believable as we have observed heavy equipment throughout the neighborhood.
 - e. He altered the access road and is now working on what appears to be a new storm water catchment area. We have spoken to Reed Miller on 4-18-23 and he is heading out to take a look at him which he is working on. He was not certain that he had obtained permits for this work.
 - f. We believe there is a conflict of interest with Mr. Todd owning homes in the Trails End Retreat neighborhood, operating a business abutting the neighborhood and having influence on the HOA.

Issues with Communication with the city

1. Was told by the city that the lot across from 6275 was involved in a land swap to allow access for the HI site and would be residential. After speaking with Reed Miller, it turns out this has not been made into a residential lot at this time.
2. Was told that gross vehicle weight signage means nothing and was merely a detriment to prevent large heavy vehicles from entering Trails End and that they are supposed to access through Empire.
3. Told that signage needed to be modified so that Billy Todd would not get in trouble.
4. Was told that the City Council approved the Trails End Retreat Subdivision to be adjacent to the site *that was zoned heavy industrial*.
5. Zoning code strongly suggests that residential and HI not be collocated for many of the reasons we are meeting today.

10-02-004-0005. INDUSTRIAL AND FACILITY DISTRICTS:

D. HEAVY INDUSTRIAL (HI) DISTRICT. The Heavy Industrial (HI) District is intended to provide for manufacturing and industrial development of a less restrictive nature than in the Light Industrial (LI) District. Uses with large amounts of exterior storage or processing that generate noise, dust, or other nuisances fall within this category. The Heavy Industrial (HI) District should be located only in those areas where the relationship to surrounding land use would create fewer problems of compatibility and would

not necessitate such stringent regulatory controls. This district is further intended not to abut any residential or commercial district.

Suggested Solutions

Mr. Todd has made an investment and should be able to utilize his property, we just do not think it is a great fit for the neighborhood. And likely to be subject to air, noise and traffic and safety complaints. We have looked at some possible routes for the City to consider.

1. The City of Flagstaff develop an access behind Sheep Hill and through City and/or County property
 - a. Route #1 could access the opposite side of the El Paso site and connect to the paved Picture Canyon Cultural Center Road. This reduces contact with visitors to the site and the back side of the mining operations would likely also be HI rated due to the proximity to the mining operations. Wastewater trucks use this road to access the WWTP.
 - b. Route #2 could be behind Sheep Hill through City property and though the north Coconino County boundary and exit on to Empire.
 - c. Rout #3 Work with USDA Forest Service to have access to 89 along the bac boundary, there are already trucks using this area behind Mary's and the gas station.
 - d. Option #4- the City of Flagstaff negotiates to move HI which creates air pollution, noise, health and safety concerns to a more suitable location away from residential.

Safety Data Sheet **Limestone**

Section 1. Identification

GHS product identifier: Limestone
Other means of identification: Crushed Stone, Calcium Carbonate, Aggregate
Relevant identified uses of the substance or mixture and uses advised against: Limestone may be used in the manufacture of bricks, mortar, cement, concrete, plasters, paving materials, and other construction materials. Limestone aggregate may be distributed in bags, totes, and bulk shipments. No known recommended restrictions.

Supplier's details: 300 E. John Carpenter Freeway, Suite 1645
 Irving, TX 75062
 (972) 653-5500

Emergency telephone number (24 hours): CHEMTREC: (800) 424-9300

Section 2. Hazards Identification

GHS Classification: CARCINOGENICITY – Category 1A
 SPECIFIC TARGET ORGAN TOXICITY – Category 2
 REPEATED EXPOSURE
 SKIN CORROSION/IRRITATION – Category 2
 EYE DAMAGE/IRRITATION – Category 2A

GHS label elements

Hazard pictograms:



Signal word: Danger
Hazard statements: May cause cancer
 May cause damage to organs (lung) through prolonged or repeated exposure
 Causes skin irritation
 Causes serious eye irritation

Precautionary statements:

Prevention: Obtain special instructions before use. Do not handle until all safety precautions have been read and understood. Wash any exposed body parts. Wear protective gloves/protective clothing/eye protection/face protection.

Response: If exposed or concerned: Get medical advice/attention. If on skin: Wash with plenty of water. Take off contaminated clothing and wash it before reuse. If in eyes: Rinse continuously with water for several minutes. Remove contact lenses, if present and easy to do.

Storage: Restrict or control access to stockpile areas (store locked up). Engulfment hazard: To prevent burial or suffocation, do not enter a confined space, such as a silo, bulk truck or other storage container or vessel that stores or contains aggregates without an effective procedure for assuring safety.

Disposal: Dispose of contents/container in accordance with local/regional/national/international regulations.

Hazards not otherwise classified (HNOC): None known

Supplemental Information: Respirable Crystalline Silica (RCS) may cause cancer. Limestone is a naturally occurring mineral complex that contains varying quantities of quartz (crystalline silica). In its natural bulk state, limestone is not a known health hazard. Limestone may be subjected to various natural or mechanical forces that produce small particles (dust) which may contain respirable crystalline silica (particles less than 10 micrometers in aerodynamic diameter). Repeated inhalation of respirable crystalline silica (quartz) may cause lung cancer according to IARC and NTP; ACGIH states that it is a suspected cause of cancer. Other forms of RCS (e.g., tridymite and cristobalite) may also be present or formed under certain industrial processes.

Hazard Classes and their Applicable Categories

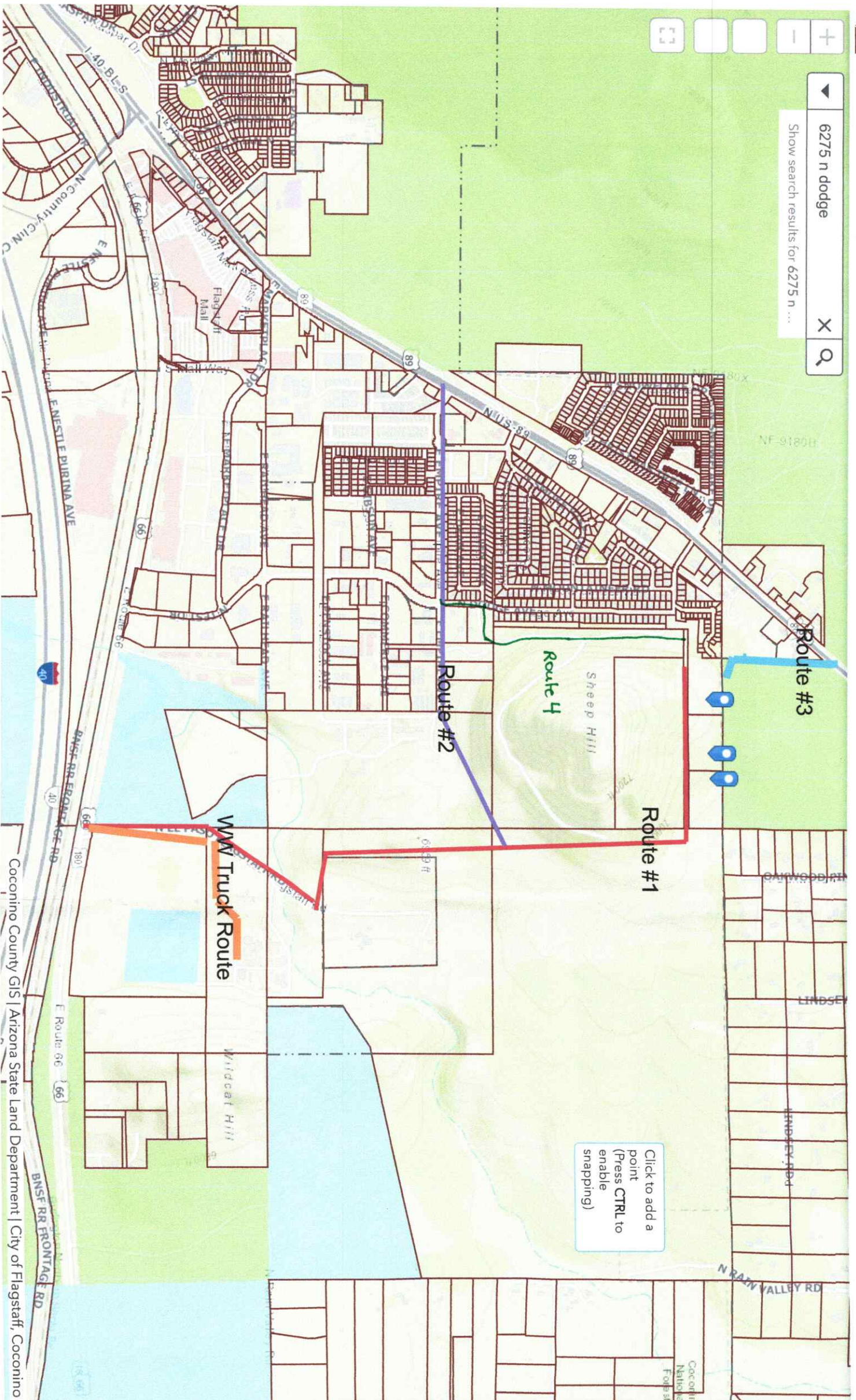
The following tables can be used as a quick reference once you've determined a material's **hazard classification**. Each class has one or more associated categories. Once you determine class and category you'll have the information you need to assign signal words, pictograms, and precautionary statements.

Physical Hazards

Hazard Class	Associated Hazard Category
Explosives	Divisions 1.1-1.6 (with 1.1 being the most hazardous, 1.6 the least hazardous)
Flammable gases	Categories 1 and 2
Flammable aerosols	Categories 1 and 2
Oxidizing gases	Category 1
Gases under pressure	4 Groups include: Compressed gas, Liquefied gas, Dissolved gas, and Refrigerated liquefied gas
Flammable liquids	Categories 1 - 4
Flammable solids	Categories 1 and 2
Self-reactive substances	Types A-C
Pyrophoric solids	Category 1
Pyrophoric liquids	Category 1
Self-heating substances	Categories 1 and 2
Substances which in contact with water emit flammable gases	Categories 1 - 3
Oxidizing liquids	Categories 1 - 3
Oxidizing solids	Categories 1 - 3
Organic peroxides	Types A-C
Substances corrosive to metal	Category 1

Health Hazards

Hazard Class	Associated Hazard Category
Acute toxicity	Categories 1-4 (with 1 being the most dangerous)
Skin corrosion	Categories 1A, 1B, 1C, and 2
Skin irritation	Categories 1A, 1B, 1C, and 2
Eye Effects	Categories 1, 2A, and 2B
Sensitization (Skin or Eye)	Category 1A and 1B
Germ cell mutagenicity	Categories 1A, 1B, and 2



Click to add a point (Press CTRL to enable snapping)

Draw

Select draw mode

Point
 Line
 Polyline
 Polygon
 Text

WW Truck Route

WW Truck Route

Font size:

20

Font color:

Text:

Undo Redo Clear

0.2mi

35.238 -111.549 Degrees