

MINUTES

1. **CALL TO ORDER**

Vice Mayor Aslan called the meeting of the Flagstaff City Council held February 7, 2023, to order at 3:01 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:

VICE MAYOR ASLAN
COUNCILMEMBER HARRIS
COUNCILMEMBER HOUSE
COUNCILMEMBER MATTHEWS
COUNCILMEMBER MCCARTHY
COUNCILMEMBER SWEET

ABSENT:

MAYOR DAGGETT

Others present: City Manager Greg Clifton; Deputy City Attorney Kevin Fincel.

3. **PLEDGE OF ALLEGIANCE, MISSION STATEMENT, AND LAND ACKNOWLEDGEMENT**

The Council and audience recited the pledge of allegiance, Councilmember McCarthy read the Mission Statement of the City of Flagstaff, and Councilmember House read the Land Acknowledgement.

MISSION STATEMENT

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

LAND ACKNOWLEDGEMENT

The Flagstaff City Council humbly acknowledges the ancestral homelands of this area's

Indigenous nations and original stewards. These lands, still inhabited by Native descendants, border mountains sacred to Indigenous peoples. We honor them, their legacies, their traditions, and their continued contributions. We celebrate their past, present, and future generations who will forever know this place as home.

4. **APPROVAL OF MINUTES FROM PREVIOUS MEETINGS**

- A. **Consideration and Approval of Minutes:** City Council Regular Meeting of January 4, 2022, Special Meeting of January 6, 2022, Work Session of January 11, 2022, Regular Meeting of January 3, 2023, Special Meeting (Executive Session) of January 10, 2023, Special Meeting (Executive Session) of January 12, 2023, Regular Meeting of January 17, 2023, City Council Retreat of January 19, 2023, and City Council Retreat of January 20, 2023.

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Khara House to approve the minutes of the City Council Regular Meeting of January 4, 2022, Special Meeting of January 6, 2022, Work Session of January 11, 2022, Regular Meeting of January 3, 2023, Special Meeting (Executive Session) of January 10, 2023, Special Meeting (Executive Session) of January 12, 2023, Regular Meeting of January 17, 2023, City Council Retreat of January 19, 2023, and City Council Retreat of January 20, 2023.

Vote: 6 - 0 - Unanimously

5. **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.

Stephen Puhr addressed Council thanking them and staff for being open minded on the use of general funds to moderate the stormwater rate increase while also addressing the stormwater needs.

Lena Fowler addressed Council to invite them to an event on February 19, 2023 at the Murdoch Center to honor the Citizen of the Year from the NAACP.

6. **PROCLAMATIONS AND RECOGNITIONS**

- A. **Proclamation:** Astrotourism Month

Vice Mayor Aslan and the City Council read and presented the proclamation.

- B. **Proclamation:** Black History Month

Vice Mayor Aslan and the City Council read and presented the proclamation to Jean Toner, Chairperson of the Commission on Diversity Awareness.

7. COUNCIL LIAISON REPORTS

Councilmember House reported that the Housing Commission met last week and reviewed the ten-year housing plan update that will be presented to Council and also reviewed the CDBG program.

Councilmember Sweet reported that Mountain Line returned to full service in January and ridership continues to rebound. She also reported that the five-year transit plan is complete and has been adopted. The goal is for community partners to use the plan to guide their planning efforts.

Councilmember McCarthy reported that he attended the Transportation Commission meeting where they discussed traffic calming plans. He also reported that MetroPlan Executive Director Jeff Meilbeck is resigning so they will be starting a search for his replacement.

Councilmember Harris reported that she met with Interim Deputy City Manager Heidi Hansen about how the Southside Community Association can be a bigger part of getting information out to visitors of Flagstaff. She also reported that she attended the Black Student Union at NAU art exhibit.

Councilmember Matthews reported that she spoke at the On the Verge art installation about housing. She also attended the Mountain Line board meeting where they discussed funding strategies for transportation services to the new hospital location. They also reported that they will be seeking an expansion of services in the 2024 election. She also reported that the Indigenous Commission met and discussed water issues and Flagstaff's plans to prepare for providing water five generations out. It was a good meeting with good information and good conversation.

Vice Mayor Aslan reported that he attended the Sustainability Commission meeting where they discussed their grant process. He also reported that the Coconino Plateau Water Advisory Commission met for a presentation from a representative from the Diablo Trust. There was a lengthy discussion about the water legislation that is moving through the legislature. He also noted that the Spruce Wash community meeting was well attended.

8. CONSENT ITEMS

All matters under Consent Agenda are considered by the City Council to be routine and will be enacted by one motion approving the recommendations listed on the agenda. Unless otherwise indicated, expenditures approved by Council are budgeted items.

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Miranda Sweet to approve the Consent Agenda as presented.

Vote: 6 - 0 - Unanimously

A. Consideration and Approval of Contract: A Cooperative Purchase Contract with Surdex Corporation in the amount of \$74,958.00 for Orthoimagery and LiDAR Data Acquisition.

1. Approve the Cooperative Purchase Contract with Surdex Corporation in the amount of \$74,958.00 for Orthoimagery and LiDAR Data Acquisition; and
2. Authorize the City Manager to execute the necessary documents.

9. PUBLIC HEARING ITEMS

- A. Consideration and Adoption of Ordinance No. 2023-01:** An ordinance of the City Council of the City of Flagstaff, amending the Flagstaff City Code, Title 10, Flagstaff Zoning Code, Division 10-80.20: Definitions of Specialized terms, phrases, and building functions, Section 10-80.20.040: Definitions “D” to modify the term “duplex”; Providing for penalties, repeal of conflicting ordinances, severability, and establishing an effective date.

Vice Mayor Aslan opened the public hearing.

Planner Ben Mejia provided a PowerPoint presentation that covered the following:

AMENDMENTS TO ZONING CODE DIVISION 10-80.20.040 DUPLEX DEFINITION
 PZ-22-00180: UPDATES TO ZONING CODE – DUPLEX
 BACKGROUND
 PROPOSED AMENDMENT
 STAFF RECOMMENDATION
 PLANNING AND ZONING COMMISSION RECOMMENDATION

Councilmember McCarthy stated that the practical implications mean that duplexes will not have to go through the Conditional Use Permit process and it will streamline things.

Mr. Mejia stated that the change would mean that a concept plan is no longer required and it would go straight to a building plan. It is something that would streamline the process.

There being no further comment, Vice Mayor Aslan closed the public hearing.

Moved by Councilmember Khara House, **seconded by** Councilmember Miranda Sweet to read Ordinance No. 2023-01 by title only for the first time.

Vote: 6 - 0 - Unanimously

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, AMENDING THE FLAGSTAFF CITY CODE, TITLE 10, FLAGSTAFF ZONING CODE, DIVISION 10-80.20: DEFINITIONS OF SPECIALIZED TERMS, PHRASES, AND BUILDING FUNCTIONS, SECTION 10-80.20.040: DEFINITIONS “D” TO MODIFY THE TERM “DUPLEX”; PROVIDING FOR PENALTIES, REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY, AND ESTABLISHING AN EFFECTIVE DATE

- B. Consideration and Adoption of Ordinance No. 2023-02 :** An ordinance of the City Council of the City of Flagstaff amending the Flagstaff City Code, Title 10 Flagstaff Zoning Code, Chapter 10-40 Specific to Zones, Division 10-40.30: Non Transect Zones, Section 10-40.30.050 Industrial Zones, to modify Table 10-40.30.050.B to allow Manufacturing/Processing - Heavy in the Light Industrial Zone with a Conditional Use Permit, providing for the repeal of conflicting ordinances, severability, and establishing an effective date

Vice Mayor Aslan opened the public hearing.

Associate Planner Wesley Welch provided a PowerPoint presentation that covered the following:

MANUFACTURING/PROCESSING – HEAVY IN THE LIGHT INDUSTRIAL ZONE WITH A

CUP
 PZ-22-00220 MANUFACTURING/PROCESSING IN THE LI ZONE
 CITY OF FLAGSTAFF ZONING MAP
 OVERVIEW OF PROPOSED AMENDMENT
 STAFF RECOMMENDATION
 PLANNING AND ZONING COMMISSION RECOMMENDATION
 OVERVIEW OF PROPOSED AMENDMENT

Councilmember McCarthy stated that he supports the recommendation because there is a Conditional Use Process requirement where adjoining property owners are notified about an application for zoning change. This will allow the public to express any concerns about incompatible use.

There being no further comment, Vice Mayor Aslan closed the public hearing.

Moved by Councilmember Lori Matthews, **seconded by** Councilmember Khara House to read Ordinance No. 2023-02 by title only for the first time.

Vote: 6 - 0 - Unanimously

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, AMENDING THE FLAGSTAFF CITY CODE, TITLE 10, FLAGSTAFF ZONING CODE, DIVISION 10-40.30: NON-TRANSECT ZONES, SECTION 10-40.30.050 INDUSTRIAL ZONES TO MODIFY TABLE 10-40.30.050.B TO ALLOW MANUFACTURING/PROCESSING – HEAVY IN THE LIGHT INDUSTRIAL ZONE WITH A CONDITIONAL USE PERMIT; PROVIDING FOR PENALTIES, REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY, AND ESTABLISHING AN EFFECTIVE DATE

10. **REGULAR AGENDA**

- A. Consideration and Adoption of Resolution No. 2023-03:** A resolution of the Flagstaff City Council naming the tunnel under 1-17 along the Sheep Crossing FUTS Trail in honor of Cosmic Ray (Raymond J. Brutti)

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

NAMING THE SHEEP CROSSING FUTS TUNNEL IN HONOR OF COSMIC RAY
 (RAYMOND J. BRUTTI)
 NAMING THE SHEEP CROSSING FUTS TUNNEL FOR COSMIC RAY
 NAMING PROCESS
 NAMING CRITERIA/INDIVIDUALS
 COMMISSION REVIEW
 COMMUNITY OUTREACH
 COSMIC RAY BRUTTI
 JUSTIFICATION FOR NAMING
 SHEEP CROSSING FUTS TRAIL
 AREA MAP
 MEMORIAL

Councilmember House stated that the dedication is an exciting opportunity. She would like to give some space for the concerns of maintaining the history of sheep keeping and the Basque people. She asked if the intent is to just name the tunnel and not the entire Sheep

Crossing Trail. Mr. Ince stated that it is only intended for the tunnel to be named, not to rename the trail.

Councilmember McCarthy stated that he would like to honor Cosmic Ray but does have some concerns about the location. He suggested looking at other possible locations for the honor. He also suggested that perhaps the matter can be sent back to the commission to identify another trail so that the Sheep Crossing Trail history can be preserved.

Councilmember Sweet suggested combining the names to honor both, she suggested "Sheeps Tunnel in honor of Cosmic Ray"

Teo Melis addressed Council stating that he and Cosmic Ray frequently rode bikes together and Cosmic Ray was always impressed with the ability to use the tunnel to move under six lanes of traffic. He enjoyed tunnels and took pleasure in ringing his bell and making noise on his way through the tunnel. There was never an intention to eliminate the Sheep Crossing history and perhaps there is a way to do both.

Joel Geist addressed Council stating that he is the artist asked to develop some ideas for the project. He believes that there is opportunity to combine the legacy of Cosmic Ray with the sheep history.

Adam Shimoni addressed Council and spoke in support of naming the tunnel after Cosmic Ray. He is a local legend who inspired many to travel by bike. Cosmic Ray had a lot of pride in the improved tunnel and trail. Since the trail name is not being changed, only the tunnel, he is supportive of the naming. He encouraged artwork that integrates the two concepts.

Marcia Wiesner addressed Council thanking them for their consideration for naming the tunnel in honor of her husband. She spoke about his love for writing, biking, and helping others. She stated that he would be thrilled to know that the naming of the tunnel in his honor is being considered.

Councilmember McCarthy stated that he had received a recommendation to name the new tunnel, not yet built, under Route 66 west of Beaver after Cosmic Ray. He asked Ms. Wiesner her thoughts on the suggestion. Ms. Wiesner stated that she would like a place that would allow artwork that expressed Ray's joy in cycling. The tunnel on the Sheep Crossing Trail offers good opportunity for art murals.

Kay Pifer addressed Council in support of naming the tunnel. She stated that it seems to be a perfect place to commemorate the history of the sheep crossing and Basque history in combination with Ray's memory. He deserves having something in his honor for everything that he has provided in the Flagstaff community.

Teo Melissaratos submitted a written comment in support of the naming of the tunnel.

Councilmember House stated that she supports the idea of a shared name on the tunnel. There is a distinction between the name of the trail and another name for the tunnel. She also suggested a historic mural that can take people through a journey starting with the history and then emerging on the other end in the present. She would like to find a way to honor both.

Councilmember Harris indicated that there is a difference between the tunnel and the trail. She suggested "Cosmic Ray Tunnel on the Sheep Crossing FUTS trail." This would provide each group their own distinction and identity.

Council expressed support of the suggestion from Councilmember Harris.

Councilmember McCarthy offered that the designation of FUTS does not necessarily need to be included in the name.

Moved by Councilmember Deborah Harris, **seconded by** Councilmember Miranda Sweet to read Resolution No. 2023-03 by title only with the name of “Cosmic Ray Tunnel on the Sheep Crossing Trail.”

Vote: 6 - 0 - Unanimously

A RESOLUTION OF THE FLAGSTAFF CITY COUNCIL NAMING THE TUNNEL UNDER 1-17 ALONG THE SHEEP CROSSING FUTS TRAIL IN HONOR OF COSMIC RAY (RAYMOND J. BRUTTI)

Moved by Councilmember Jim McCarthy, **seconded by** Vice Mayor Austin Aslan to adopt Resolution No. 2023-03 as amended.

Vote: 6 - 0 - Unanimously

- B. Consideration and Adoption of Resolution No. 2023-04:** A resolution of the Flagstaff City Council, declaring, for purposes of Section 1.150 2 of the Federal Treasury Regulations, official intent to be reimbursed in connection with certain capital expenditures related to the November 2022 election for proposition 441 and 442 projects as approved by voters, and establishing an effective date.

Management Services Director Rick Tadder stated that the resolution will allow the City to reimburse itself for expenditures made on November ballot measure projects that are currently being planned or may be under construction in advance of issuing the debt (bonds) for the projects. Federal regulations provide that the City may reimburse itself for expenditures incurred prior to the issuing of debt so long as this type of resolution is adopted. Without the resolution, only City construction expenditures incurred after the issuance of debt would be allowed.

Mr. Tadder also noted that he will be strategic in issuing debt to ensure the best rates and timing. He intends to issue a portion of the debt later in the year and a subsequent resolution will be brought forward to Council to authorize that.

Moved by Councilmember Miranda Sweet, **seconded by** Councilmember Khara House to read Resolution No. 2023-04 by title only.

Vote: 6 - 0 - Unanimously

A RESOLUTION OF THE FLAGSTAFF CITY COUNCIL, DECLARING, FOR PURPOSES OF SECTION 1.150 2 OF THE FEDERAL TREASURY REGULATIONS, OFFICIAL INTENT TO BE REIMBURSED IN CONNECTION WITH CERTAIN CAPITAL EXPENDITURES RELATED TO THE NOVEMBER 2022 ELECTION FOR PROPOSITION 441 AND 442 PROJECTS AS APPROVED BY VOTERS, AND ESTABLISHING AN EFFECTIVE DATE

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Miranda Sweet to adopt Resolution No. 2023-04.

Vote: 6 - 0 - Unanimously

11. **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 request by Vice Mayor Aslan to place on a future agenda a discussion about entering into a process to rename Agassiz Peak.

Vice Mayor Aslan stated that the reason he brought the item forward is because it is a topic being lifted up in in community by indigenous youth. This would be a significant process that would ultimately end with an act of Congress. He would like to engage in conversation with indigenous neighbors and partners about how to value and honor sacred places.

Councilmember Harris stated that she wants to ensure that there is a clear understanding at the outset about what the city has control over and what they do not. It is important not to promise something that the city is unable to deliver.

Councilmember Matthews stated that understanding the challenges and time related to changing the name, perhaps there can be a movement toward marketing the peaks differently with the materials the city is involved in. This may show a commitment to the effort while understanding the time it may take to accomplish.

The following individuals addressed Council in support of advancing the FAIR item and engaging in a conversation to rename Agassiz Peak:

- Mashayla Tso
- Darrell Marks
- Makaius Marks
- Adam Shimoni

The following comments were received:

- Agassiz Peak is named after a biologist who used his studies to legitimize racist beliefs of white superiority.
- The name antagonizes the beliefs and acknowledgments of the indigenous nations and other communities of color.
- The cultural names of the peaks describe the spiritual healing and power that the mountain withholds.
- The name as it stands does not align with the creation stories of indigenous communities and their culture.
- This is a movement brought about by indigenous youth.
- Rather than an act of Congress, there is an application process through the Board on Geographic Names and Domestic Names Committee.
- The city was able to change the name of Agassiz Street.
- There is hope in the community that this would not have to go through a congressional process.
- The name of Agassiz does not stand for the values of the community.
- Indigenous peoples know the mountain by different names which bring perspective and understanding of other cultures.

- Names are important and they should reflect community values and goals.

Councilmember House expressed her support for moving forward. She agreed that it is important to be clear about what is and is not possible. She also agreed that considering the presentation and renaming within the city's marketing could be a good first step.

Councilmember McCarthy also voiced support.

Councilmember Matthews indicated support and is looking forward to seeing possible names that would honor the indigenous cultures that hold the mountains as sacred.

- B. Future Agenda Item Request (F.A.I.R.):** A request by Vice Mayor Aslan to place on a future agenda a discussion about revisiting the City of Flagstaff Logo/Seal.

Vice Mayor Aslan stated that there has been side conversations over the years about revisiting the logo. The logo has a lot to offer historically but there may be an opportunity to move forward into the present. There are logistical considerations and this would also require an extensive public process.

Councilmember Sweet stated that she supports moving the item forward and while she likes the current logo, she is not sure that it does represent today's Flagstaff and into the future.

Councilmember House noted her support for having a conversation that looks at how the city emblemizes themselves and the history of Flagstaff.

Councilmember McCarthy suggested that staff provide an estimate of the financial impact that changing the logo might have.

12. PUBLIC PARTICIPATION

None

13. INFORMATIONAL ITEMS TO/FROM MAYOR, COUNCIL, AND STAFF, AND FUTURE AGENDA ITEM REQUESTS

Councilmember Sweet stated that she will be attending the Summit on Equal Responsibility and Flagstaff at NAU. They will be discussing issues of equal responsibility in business, healthcare, and government.

Councilmember House stated that she will also be attending the Summit event. She reminded the community about Fore, the miniature golf art exhibit at the Coconino Center for the Arts. She also reported that she met with Interim City Manager Heidi Hansen to learn about the Economic Vitality Division and she was so impressed by the magnitude of what the Division contributes to the community. Lastly, she stated that she will be attending the Chamber annual meeting and Athena Awards on Friday.

14. ADJOURNMENT

The Regular Meeting of the Flagstaff City Council held February 7, 2023, adjourned at 5:04 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 February 7, 2023. I further certify that the Meeting was duly called and held and that a quorum was present.

DATED this 7th day of March, 2023.

CITY CLERK