

MINUTES

1. Call to Order

Mayor Daggett called the meeting of the Flagstaff City Council held September 12, 2023, to order at 3:04 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 work session, the City Council may vote to go into executive session, which will not be open to the public, for discussion and consultation 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 through other technological means.

PRESENT:

ABSENT:

MAYOR DAGGETT
VICE MAYOR ASLAN (virtually)
COUNCILMEMBER HARRIS
COUNCILMEMBER HOUSE (virtually)
COUNCILMEMBER MATTHEWS
COUNCILMEMBER MCCARTHY
COUNCILMEMBER SWEET

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

3. Pledge of Allegiance, Mission Statement, and Land Acknowledgement

The Council and audience recited the pledge of allegiance, Councilmember Harris read the Mission Statement of the City of Flagstaff, and Councilmember McCarthy 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. Public Participation

Public Participation enables the public to address the council about items that are not on the prepared agenda. Public Participation appears on the agenda twice, at the beginning and at the end of the work session. You may speak at one or the other, but not both. Anyone wishing to comment at the meeting is asked to fill out a speaker card and submit it to the recording clerk. When the item comes up on the agenda, your name will be called. 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 to have 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.

Chuck Crandall addressed Council with concerns about dog barking in his neighborhood. He expressed frustration that the Police Department enforced continuously barking dog issues but not incident/provoked barking issues.

Dapper Dre addressed Council about behavior and design of streets. He requested a traffic specific town hall where city representatives and the Arizona Department of Transportation would discuss things such as speed limits, traffic signaling, etc.

5. Review of Draft Agenda for the September 19, 2023 City Council Meeting

None

6. City Manager Report

Mr. Clifton briefly reviewed his report.

Planning Director Michelle McNulty briefly reviewed the Community Development Summer Report.

IT Director CJ Perry reviewed the IT Summer Report.

Mayor Daggett expressed concern about the challenges that Dispatch had encountered and she requested continued updates on how those challenges were being resolved.

Parks, Recreation, Open Space, and Events Director Rebecca Sayers reviewed the PROSE August Report.

7. Roundabout Workshop and Discussion

Project Manager Jeremy DeGeyter introduced Mark Johnson with MTJ Engineering who provided a PowerPoint presentation that covered the following:

OVERVIEW OF MODERN ROUNDABOUTS BENEFITS, OPPORTUNITIES, AND CHALLENGES

PRESENTATION OUTLINE

ROUNDABOUT VS SIGNALS?

DEVELOPMENT OF MODERN ROUNDABOUT

WIDE VARIETY OF APPLICATIONS

ROUNDABOUT APPLICATIONS

ANNUAL US INTERSECTION SAFETY STATISTICS

REDUCED CONFLICT POINTS

LOWER SPEEDS = SHORTER BRAKING DISTANCE

ACCIDENT SEVERITY

SEPARATED IN TIME ONLY

PHYSICALLY SEPARATED

SAFETY DESIGN PRINCIPLES FOR SLOWER SAFER ROUNDABOUTS

PEDESTRIAN SAFETY

BIKE DESIGN ISSUES

BICYCLE CIRCULATION

EMERGENCY RESPONSE, FREIGHT, TRUCKS
ROADWAY PLANNING AND ECONOMIC DEVELOPMENT
PUBLIC INVOLVEMENT
CASE STUDY #1
CASE STUDY #2
CASE STUDY #3

Councilmember Sweet asked about separated bike lanes for roundabouts rather than integrating cyclists into the vehicle path. Mr. Johnson stated that it had been found that a bike lane within a roundabout was less safe.

Councilmember McCarthy stated that the roundabout signs were sometimes confusing. Mr. Johnson agreed and stated that it could be easy to over sign and finding the right balance of signage can take time.

Vice Mayor Aslan stated that the safety of pedestrians and cyclists was paramount to the efforts of right sizing roads.

Adam Shimoni addressed Council and stated that cars do not stop for pedestrians. There was value in roundabouts in that they slow traffic down but the more lanes there are the less safe they are.

Council thanked staff and Mr. Johnson for the presentation.

8. City of Flagstaff Advertising Policy

Economic Vitality Director Heidi Hansen provided a PowerPoint presentation that covered the following:

CITY OF FLAGSTAFF ADVERTISING POLICY
RESEARCHED OTHER AIRPORT ADVERTISING POLICIES
PURPOSE
PERMITTED TYPES OF ADVERTISING
ADVERTISING CONTENT RESTRICTIONS
CURRENT ADVERTISING STANDARDS AS STATED IN CONTRACT
CURRENT STANDARD -- CHANGES/EDITS
ADVERTISING LOCATIONS
APPLICATION AND REVIEW PROCESS

The following individuals addressed Council in opposition to changing the advertising policy:

- Burt Sprofera
- Rob Wilson
- Michael Infanzon
- Chris Michels
- Devin Champagne
- Dennis Champagne
- Tim Timney

The following comments were received:

- Why is the change even needed?
- This has been discussed in other parts of Arizona and thrown out.
- This infringes on people's First Amendment rights.
- People come to Flagstaff to participate in firearm sports, if you stop advertising it would impact business activities and revenue.
- I was told that the advertisement was violent and I disagree.
- Timberline Firearms is the only indoor shooting range in Flagstaff and is one of the country's most highly monitored businesses.
- Some of our customers are single moms who need training to protect themselves and their children.
- Violating rights and state law by targeting specific businesses will generate a lawsuit.

- This is a freedom of speech issue, not about the firearm that was used in advertising.
- Uphold free speech rights and do not move forward with the proposed policy.
- Timberline Firearms is dependent on outside visitors which makes the airport a good place to advertise.
- No legitimate business would promote violence, not allowing firearm advertising will not make anyone safer.
- Where would it stop, no advertising in the city or at all?
- Timberline Firearms offers quality firearm training, and that service needs to be advertised.
- I own two businesses, I advertise within city, I have done over 1,000 background checks, and I host a local gun show. The City of Flagstaff does not want me anymore, they will not let me advertise.
- Remove the word firearm from the policy, the firearm is not the issue it is the limitation on local business.
- The issue is that a safety-concentrated business is being denied advertising rights.
- It is wrong to target any type of sport and firearms are a sport.

Written comments in opposition to changing the advertising policy were submitted by the following:

- Robert Drayton
- Dvae Krisko
- Kevin Spousta
- Majority Leader Leo Biasiucci
- Representative David Marshall
- Representative Quang Nguyen
- Eric Davis
- Caitlin Walker
- Chuck Bain
- Craig Willeto
- Steve Dorsett
- Dave Wolf
- Will Pentecost
- Tom Chesterman
- Ryan Tempel
- Nan Nicoll
- Dave Truslow
- Darrel and Susan Pendergast
- Tim Gales
- Tom Woodrow
- Jason Corbett
- Stephen Rex
- Alan Anderson
- Herb Drake
- Patrick Wilson
- Cornel Choskey
- Anita Valaer
- Michael Thompson
- Linda Reeves
- Lori Welsch
- William Griffin
- Alan and Marsha Anderson
- Mike Pflueger
- Mark Mackowski
- Alan Bovi
- Derek Bernard
- Ken Langford
- Mario Chicas
- Terry Williams
- George Loewen
- Rick Schaefer

- Gregory Jones
- Shelly Kinyon
- Ryan Hartwig
- Curtis Wall
- Nancy Hovren
- Ronald Noble
- Ian Lockwood
- Robert Fitzhugh
- Robert Gumfory
- John Cain
- Sandra Rogers
- Craig Bergman
- Philip Hubacek
- Samantha Paez
- Bill Wilder
- Daryl Lassen
- Paul Stockburger
- Travis Steele
- Jim Manning
- Steve Snider
- Dan Rinker
- Ginger Niesen
- Roger Sargent
- Bill Zmistowski
- Paul Fitch
- B. Aaltonen
- Phillip Witte
- Brett Sutton
- Tom Hamblin
- Raymond Mirabile
- John McInally
- Carney Layne
- Mack Greer
- Mike Morris
- Richard Mock
- David Bradley
- Todd Hulbert
- Alan and Kathy Bond
- Judith Wilson
- Dennis Clark
- Dan Nicholas
- Stephen Wenger
- Anthony Narducci
- Don Heck
- Dennis Pullaro
- David Segall
- Norman Nipperus
- Davene McCoy
- Steven Winiecki
- Alvern Woods
- Paul Nicolls
- Cathy Chouinard
- Darren Butts
- Mike Rodgers
- Charlie Mettille
- Bill Lutz
- Jim Toussaint
- Cynthia Sampson
- Blake West

- Calvin Hayes
- Tom Martin
- Randal Scott
- Robert Navarro
- Ron Stewart
- Lawrence Michael
- Steven Roush
- Mike Bryan
- Dan Myers
- Charles Platt
- Steve Young
- Dave Hanke
- Michael Larsen
- Jeff Thomsen

Councilmember Matthews stated that it was a challenging issue because it was not black and white. There were other attractions and recreations in town that could be deemed violent. There should be a way to allow businesses to advertise and attract visitors to their business within appropriate parameters. Ms. Hansen stated that staff approached Timberline Firearms about the concerns with the advertisement video and suggested that it could be changed slightly. The owner did not want to do that. Council sets policy, and what was presented was a starting place, staff was open to ideas and suggestions to get to a citywide policy.

Vice Mayor Aslan stated that he appreciated the starting point and preferred to take as light of a touch as possible.

Councilmember McCarthy indicated that the draft policy addressed many issues, including drugs, pornography, and firearms. He did not want to single out any specific industry. The policy would not affect the operation of the businesses themselves and would only affect advertising on city property. He noted support for the draft policy.

Councilmember Harris stated that she supported the draft policy that was presented.

Council discussed the language within the policy. Suggestions included:

- Consider adding a reference to CBD products.
- Avoid pro/con situations where one type of activity is not allowed to be advertised but the opposite of that activity is permitted to be advertised. For example, no advertising for gun retailers but allows advertising for anti-gun activities.
- If firearms and ammunition are not permitted, then there should be consideration for other activities that may be considered violent.
- Perhaps include a required safety message.
- Consider still images versus videos.
- Consider combining sections g and h.

Staff thanked Council for their feedback. They will take the feedback and come back to Council for further discussion and direction.

A break was held from 5:38 p.m. through 5:56 p.m.

9. Request for information on the history of the Timber Sky Development Agreement and amendments

Current Planning Manager Alexandra Pucciarelli provided a PowerPoint presentation that covered the following:

TIMBER SKY DEVELOPMENT AGREEMENT HISTORY
TIMBER SKY SUMMARY
TIMBER SKY BLOCK PLAT
TIMBER SKY SUBDIVISIONS

ORIGINAL DEVELOPMENT AGREEMENT
FIRST AMENDMENT
SECOND AMENDMENT
THIRD AMENDMENT
FOURTH AMENDMENT
AFFORDABLE HOUSING STATUS

Councilmember Matthews asked about Area Median Income (AMI) and how it related to affordable housing projects.

Housing Director Sarah Darr explained that affordable housing was defined as spending no more than 30% of income on housing costs. The reason a lot of rental housing was focused on 60% AMI and below was because of the funding sources available for them. Flagstaff had needs above the 60% AMI level. The 60% AMI for a household of three is \$56,760. There were needs in Flagstaff that reached into the 125% AMI. Unfortunately, the rising housing prices often make that unreachable.

Councilmember Matthews asked if 60% AMI was the maximum tax credit developers could offer. Ms. Darr stated that both tax credit programs were capped at serving households at 60% AMI or below.

Lindsay Schube on behalf of Gammage and Burnham provided a PowerPoint presentation that covered the following:

DEVELOPMENT TEAM
AERIAL MAP
TIMBER SKY DEVELOPMENT AGREEMENT
SITE PLAN
AFFORDABLE HOUSING
VINTAGE PARTNERS

Walter Crutchfield with Vintage Partners addressed Council and shared that rentals were a good way to accomplish what they set out to do. The partnerships with Habitat for Humanity and with Roers would allow them to deliver affordable units to the community. He stated that Roers was shovel ready in October and Habitat was not far behind.

Kevin Sturgeon with Roers provided a PowerPoint presentation that covered the following:

ROERS COMPANIES
SIERRA ON 66 ROERS AFFORDABLE HOUSING PROJECT
COMMITTED FUNDING SOURCES
TIMELINE OF COMMUNICATIONS WITH CITY

Vice Mayor Aslan expressed appreciation for the authenticity and approach. He was hopeful that there would be a shared victory with affordable units brought to Flagstaff.

Ms. Schube continued the presentation.

GENERAL OBLIGATION BOND (PROPOSITION 442)

INCENTIVE POLICY FOR AFFORDABLE HOUSING (IPAH)
IPAH ELIGIBILITY
WAIVER ELIGIBILITY

Ms. Schube stated that in order to deliver 221 units, money that was available within the Incentive Policy for Affordable Housing (IPAH) was always part of the proforma.

Councilmember Matthews stated that while the incentive policy was not included in the original development agreement, one of the amendments included language that there would be access to any new code amendments or provisions. Senior Assistant City Attorney Christina Rubalcava stated that there was a provision in the fourth amendment to the Timber Sky development agreement that said that the developers of the workforce housing may elect to use current zoning code provisions where

advantageous to the development of those affordable units.

Ms. Darr stated that there was a provision within the bond for funds to be used to incentivize rental units for affordable housing. The bond included the provision to encourage market-rate developments to incorporate affordable housing units. Despite inquiries from stakeholders, the current balance in the incentive policy fund was deemed insufficient to meaningfully support large projects. Discussions were ongoing about potentially using bond money to fund the existing incentive policy as part of the described process.

Mr. Clifton stated there had been dialogue between Roers and staff about the possible use of incentive funds, either deriving from a bond yet to be approved or otherwise. Council would soon be seeing recommendations from the Housing Commission on how to distribute that \$5 million of the bond. That recommendation would not include utilizing it as part of the existing incentive policy. There would be an ask coming from the developers to utilize other revenues to assist with funding the project. While that negotiation discussion could occur in executive session, his recommendation would be to have an open dialogue at some point to allow the developer's team to present their case and receive an outcome.

Councilmember Sweet stated that the city had declared a housing emergency and that the Roers project was a way to tackle that emergency head on. She indicated that she would like to have an open public discussion as soon as possible to determine other revenue options.

Councilmember House stated that she was hopeful that in the coming conversation, they would be able to find ways to keep the project moving forward and bring housing units to the community.

10. Public Participation

None

11. Informational Items To/From Mayor, Council, and City Manager; future agenda item requests

Councilmember Sweet stated that she would be attending Pickin in the Pines that weekend.

Councilmember McCarthy stated that he appreciated getting the Council agenda packet on Thursdays rather than Fridays and hoped that would continue.

Councilmember Harris reported that she attended NAU's community luncheon. One of the things that she heard was that there were over 10,000 beds on the mountain campus, and sometimes they were not all full, which meant that many students chose to live off-campus even though there was adequate room on campus.

Councilmember Matthews reported that the Indigenous Commission met and were working on the Indigenous Peoples' Day events. She also reported that she met with the Tempe Housing Director and they discussed innovative ideas on how to address low-income and workforce housing.

12. Adjournment

The Work Session of the Flagstaff City Council held September 12, 2023, adjourned at 7:28 p.m.

MAYOR

ATTEST:

CITY CLERK