

MINUTES

1. Call to Order

Mayor Evans called the Special Meeting of the Flagstaff City Council held November 12, 2019, to order at 6:00 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 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. Pledge of Allegiance and Mission Statement

The Council and audience recited the Pledge of Allegiance and Councilmember Whelan read the Mission Statement of the City of Flagstaff.

MISSION STATEMENT

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

3. Roll Call

NOTE: One or more Councilmembers may be in attendance through other technological means.

PRESENT:

ABSENT:

MAYOR EVANS
VICE MAYOR SHIMONI - via phone
COUNCILMEMBER ASLAN
COUNCILMEMBER MCCARTHY
COUNCILMEMBER ODEGAARD
COUNCILMEMBER SALAS
COUNCILMEMBER WHELAN

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

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.

Dina Ettsity addressed Council regarding the potential for a city-sponsored detox facility. She felt that the response to intoxicated individuals in Flagstaff could be improved and that she believed that creating a facility could lower the criminal rate of intoxicated individuals.

Sara Kubisty addressed Council asking them to declare a climate emergency.

5. **Consideration of Appointments:** Building & Fire Code Board of Appeals.

Moved by Councilmember Whelan and seconded by **Councilmember McCarthy** to nominate Bill Hastings to a term expiring in October 2022.

Vote: 7 - 0

6. **Adjournment**

The Special Meeting of the Flagstaff City Council held November 12, 2019, adjourned at 6:06 p.m.

WORK SESSION

1. **Call to Order**

Mayor Evans called the Work Session of the Flagstaff City Council held November 12, 2019, to order at 6:06 p.m.

2. **Review of Draft Agenda for the November 19, 2019 City Council Meeting**

Citizens wishing to speak on agenda items not specifically called out by the City Council may submit a speaker card for their items of interest to the recording clerk.

Councilmember McCarthy expressed his desire for more information on the animal keeping ordinance, emphasizing the need for additional options beyond a simple yes or no decision. He raised concerns about the potential burdens of permits and suggested a complaint-driven response system instead. Sustainability Specialist Tyler Lenzen sought clarification from Councilmember McCarthy, specifically asking if his concern was solely about permits. Councilmember McCarthy clarified that he was also concerned about permits and animal keeping regulations, particularly regarding setbacks rather than zoning. The rest of the Council also expressed interest in exploring more options.

Councilmember Odegaard requested that staff investigate similar ordinances in other communities and present their findings to the Council. Mr. Lenzen stated that staff had conducted extensive research and could provide a presentation to the Council.

Councilmember Whelan inquired about Item 7E regarding Coconino Estates, seeking clarification on the expanded financial considerations and how the water line project would be financed. She asked if approving the item would automatically include it in the next fiscal budget or if it required separate budget allocation. City Engineer Rick Barrett explained that approving the item would effectively change the budget for FY20 and the five-year program, relying on funding from the Water Services Division. Councilmember Whelan questioned the level of community involvement in the project, and expressed concern that it seemed more like informing the community rather than involving them. Mr. Barrett clarified that the current phase was for community information and explained the changes and replacements involved. Councilmember Whelan also asked about the addition of sidewalks, to which Mr. Barrett responded that sidewalks were not included and detailed the prior community involvement process for adding sidewalks on Beale and Navajo Roads. He announced a community forum later that week at Marshall School.

Councilmember Whelan also sought information on Item 8A regarding existing data on complaints, tickets, warnings, and home visits related to problem properties before proposed changes. Public

Works Director Andy Bertelsen stated that staff had the data and would share it with the Council.

Councilmember Whelan asked about Item 8B; why it was an emergency request and if other office options were explored. Real Estate Manager Charity Lee explained that multiple locations downtown were considered, but the current lease had a 30-day notice to vacate clause, and Park Flag sought a more stable environment. Councilmember Whelan requested a report on the other available office spaces.

3. Flagstaff Arts Council -- Annual Update

Beautification, Arts & Sciences Manager Eliza Kretzmann and Flagstaff Arts Council Executive Director Jonathan Stone presented an update on the Flagstaff Arts Council's contract with the City of Flagstaff. Mr. Stone also shared a video on a musical art installation in Montreal.

Vice Mayor Shimoni thanked Mr. Stone for presenting and the Arts Council for their work in the community. He asked if there were ways to leverage the awarded funds to secure additional grants. Economic Vitality Director Heidi Hanson stated that many received additional grants by leveraging the funds the Flagstaff Arts Council awarded. Vice Mayor Shimoni commented that he would like to see more large-scale projects that involve neighborhoods, schools, or the youth. Ms. Kretzmann stated that staff was looking at those types of projects in the future and they had recently completed a mural at the Joe C. Montoya Center that involved youth. Vice Mayor Shimoni suggested partnering with Kinlani Dorms for future projects.

Councilmember Whelan asked if there were criteria that separated institutions like Lowell from Willow Bend and if there was consideration for that during grant awarding. Mr. Stone stated that there was a need-blind eligibility matrix. The impact of the organization was the important measure in the matrix, and the grant committee ensured that they were supporting start-up and smaller efforts.

Councilmember Odegaard referenced the Downtown Master Plan and stated that he hoped there would be an arts component. Mr. Stone stated that Terry Madeska had joined their Board and they had discussed the Downtown Master Plan.

4. Sidewalk Program Discussion

Streets Section Director Scott Overton presented to Council regarding revisions to the sidewalk ordinance and asked for their input on the proposed changes.

Councilmember McCarthy stated that he liked the idea of the city taking over the sidewalk repair program but was concerned about complaints from people who did not have sidewalks. He asked where the money for the sidewalk program would come from because he was not comfortable raising property or sales tax for sidewalks. Mr. Overton stated his focus was only on existing sidewalks and other departments were focused on projects for infill and connecting locations, which would address potential future sidewalks.

Councilmember Whelan asked why now. Mr. Overton stated that historically, the city had a lot of need for sidewalk repair and he believed the program needed attention. He added that he wanted to improve infrastructure and that the sidewalks were no different than the Flagstaff Urban Trail system, bike lanes, or roads and that they needed to be maintained as well. Councilmember Whelan asked if Public Works needed waivers to fix sidewalks on private property. Mr. Overton replied that they did not need the homeowner's permission since sidewalks were in the right of way. Councilmember Whelan stated that other cities were moving to asphalt sidewalks because the cost was less expensive and they were easier to keep clean. She added that she would like to have a conversation about asphalt sidewalks in the future. Mr. Overton stated that he would like to engage engineering staff on the idea since asphalt sidewalks were subject to more wear and tear and were not as aesthetically pleasing. Mr. Overton stated that he had seen asphalt sidewalks in other municipalities not save on costs because of replacement issues.

Mayor Evans stated that she was fine with the current ordinance, but it needed to address inconsistencies and enforcement. She stated she would like to see consistency in the ways that the

ordinance was enforced.

Vice Mayor Shimoni stated it would be more cost-efficient and effective to have the city complete sidewalk repairs. He stated that he did not wish to see sidewalk repair as the property owner's responsibility and was open to other possibilities.

Councilmember Odegaard asked if the revisions would be for residential sidewalks only. Mr. Overton stated that direction was to have consistency between residential and commercial sidewalk repair. Councilmember Odegaard stated that he did not believe that property owners should be responsible for sidewalk replacements and that the challenge was funding.

Council recessed into Executive Session from 7:23 p.m. through 7:38 p.m.

Councilmember Aslan inquired about situations where the property owner was responsible for damage. Mr. Overton stated that the current ordinance held the homeowner responsible for the cost and that it was sometimes awkward when things like trees needed to be removed. Councilmember Aslan asked if the percentages that the city versus the property owner paid for repairs could be changed. Mr. Overton stated that the ordinance could be revised to reflect a proportional share. Councilmember Aslan also recommended that residential property owners should not be responsible for sidewalk repairs. He stated that sidewalks were a big part of beautification.

Mayor Evans was not sure that the city would be able to fix all panels at once. Councilmember Aslan stated that the City would gain leverage to do repairs quickly and on better terms. Councilmember Odegaard clarified that he would like to see no cost for residential property owners only.

Councilmember Whelan added that she would like to leave the ordinance as is and see consistency and regularity in the enforcement of the ordinance. She spoke about the needs of small commercial property owners versus residential property owners and stated that she was concerned about small businesses being able to afford costly repairs. She would like flexibility in the ordinance.

Councilmember McCarthy asked about finding other solutions for the replacement of panels. Mr. Overton stated that there were other repairs done rather than replacement, like grinding. His direction was to stay with existing policy. He also added that there was potential for property owners to pay off repairs over time on their water bill rather than placing a lien on the home.

Vice Mayor Shimoni asked if there would be delays or confusion if the ordinance was not amended. Mr. Overton stated that it was a more difficult conversation with citizens. Vice Mayor Shimoni stated that the repairs would be more effective if under the city's oversight and more efficient. He stated that he did not want to see property owners responsible for the cost of repairs for both residential and commercial properties.

Councilmember Salas stated that her direction was to amend and that she would like to revisit the cost share and payment plans. She added she would like to see a tiered fee to help owners with their ability to pay and she would like to offer commercial property owners the same incentives and relief.

5. Discussion about the life of the landfill, composting and organic waste

Solid Waste Section Director Todd Hanson and Sustainability Specialist Dylan Lenzen presented on the life of the landfill, composting, and organic waste.

Councilmember Whelan asked about the geosynthetic tarp. Mr. Hanson replied that it was a big, thick tarp used instead of dirt to cover trash. He added that it lasted for years and could be repaired.

Councilmember McCarthy asked how the tarps were used. Mr. Hanson answered that the tarps were placed at night and removed during the day.

Vice Mayor Shimoni stated that he was impressed by the staff and fully supported their efforts. He added that he would like to see a video created to educate on the Materials Recycling Facility (MRF) and to get information out to the public.

Councilmember Salas added her admiration for the staff and the work that had been done.

Councilmember McCarthy asked when the landfill started. Mr. Hanson stated the landfill was created in 1965. Councilmember McCarthy asked about methane production and if the City would be collecting the methane generated off the early cells or if that was only happening to the later cells. Mr. Hanson stated that the city would not be required to do that because the methane gas would not hit the threshold required to put a gas system in place. He added that the landfill was not producing much gas due to the altitude and the arid conditions. He also stated that part of the plan with additional funding was to gasify the current cells, but they might find more important alternatives that could be more impactful at the landfill, such as solar arrays.

Councilmember Aslan stated that Flagstaff could accept trash from other suppliers and municipalities and that there was a temptation to make money off the landfill by collecting other people's trash. He asked what was stopping Flagstaff from cashing in on the landfill. Mr. Hanson stated it would be a different business model and added that while policy did not allow that now, things could be different in the future.

Mayor Evans added her appreciation for looking at the issue now. She stated that it was interesting that the landfill was started in 1965 and added that Flagstaff was pre-empted in regulating the use of single-use plastics. She stated that she wondered what percentage of the landfill was occupied by single-use plastics and if the lifespan of the landfill could be extended if they were removed.

Mr. Hanson stated that staff could pull some numbers on how much single-use plastic arrived when they did the waste characterization at the landfill. Mr. Hanson added that landfill mining, where a part of the landfill is reclaimed by digging it up, sorting it through, and taking the soil and stuff that needs to go back in, could add some space to the landfill. Mayor Evans stated that the City needed to look into landfill mining and single-use plastics.

Vice Mayor Shimoni stated he would also be curious to get that information on single-use plastics and explore landfill mining. He added that he would like to see styrofoam information as well. Vice Mayor Shimoni and Mayor Evans both stated they wanted to quantify the data on how much it was costing.

Councilmember Salas wondered if the business community could be engaged to discourage the use of single-use plastics and styrofoam with, perhaps, a monetary program.

6. Legally Designated Open Space Management Plan - McMillan Mesa Natural Area Management Chapter:

Open Space Specialist Robert Wallace and Sustainability Manager Nicole Antonopoulos provided a summary of the draft McMillan Mesa Natural Area Management Open Space Management Plan.

Councilmember Odegaard clarified that the funding for the cultural survey would be requested in the FY21 budget.

Vice Mayor Shimoni asked about the timeline for the enhancements if the budget was approved. Mr. Wallace stated that it could be a quick turnaround for the educational signs, but a parking area would require more time. Vice Mayor Shimoni wondered if there was a way to expedite the educational opportunities. Mr. Wallace stated that staff was working with STEM creators to create a program that teachers could use on their own.

Vice Mayor Shimoni asked about another bond measure and if it would potentially ask for \$300,000. Public Works Director Andy Bertelsen spoke about the Parks, Recreation, and Open Spaces Joint Commission and stated that it would be a part of the bigger bond they were working on. Mr. Wallace stated that there was a citizen's survey that incorporated this study and volunteers would be utilized.

Councilmember Whelan asked if a mechanism for maintenance would be phased in since it was not included in the proposition measure. She asked if open space should just be open space or if it should be managed. Mr. Wallace stated that the community survey indicated that intervention in the open space should be limited.

Marilyn Weissman addressed the Council and stated that she was part of the team involved in the open space initiative. She thanked the Open Space staff for their thorough analysis. She added that she wanted to see more people recreating on the Mesa and that she preferred to see parking on main access roads for the Arizona Trail rather than on the Mesa. She stated that she believed the area she lived in was inappropriate for parking and that people currently parked there for Basis school. She also expressed concerns about the truck turnaround and the ability for fire trucks to turn around.

Councilmember Salas asked about the cost associated with invasive plant management. Mr. Wallace stated that the \$12,500 involved reseeding, mapping, and labor involved in pulling the invasive plants. Councilmember Salas stated that she was also concerned about parking and discussed the collaboration with the neighboring businesses for parking and asked to formalize the partnerships. She wanted to address unauthorized access and social trails in the area.

7. Discussion of Potential City Council Flag Policy

City Attorney Sterling Solomon discussed with the Council the creation of a flag policy and shared a proposed policy. He stated that designating flagpoles for the United States flag, the Arizona State flag, and the Prisoners of War (POW) flag would reiterate state and federal law. He explained that the City Council could also designate a temporary pole to fly other flags. He added that the temporary pole would be an expression of government speech, not determined by the public.

Mayor Evans stated that she would like the Council to determine which flags would be flown. Mr. Solomon indicated that the attached policy included that information. Mayor Evans expressed a desire for the policy to move forward as soon as possible.

Councilmember Aslan agreed with Mayor Evans. He added he wanted to see the resolution for flag designations passed in December.

Vice Mayor Shimoni asked if the matter should be addressed multiple times a year to allow for revisiting the list. Mayor Evans opposed this, stating that the Council had a good sense of the community's preferences and Council goals. Vice Mayor Shimoni asked if the resolution would be approved in December, with flags determined afterward. Mr. Solomon stated that the resolution could be passed at the next meeting and that a separate resolution would determine the flags.

Councilmember Odegaard suggested it would be best to set the flags at the end of December for simplicity.

Councilmember Whelan asked for clarification on whether two flags could be flown each month. Mr. Solomon confirmed that it was permitted in the proposed policy.

Councilmember McCarthy supported flying the United States, Arizona, POW, and City of Flagstaff flags but no other flags.

A majority of Council supported flying the United States, Arizona, POW, and City flags, as well as commemorative flags, with the option for two a month.

8. Public Participation

None.

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

Vice Mayor Shimoni stated that he had attended the Recovery Court Graduation the previous week and expressed his desire to acknowledge graduates on a monthly basis. He also mentioned he attended the Bigger Together luncheon, where \$35,000 was raised for Big Brothers, Big Sisters, and noted that Big Brother, Big Sisters was actively seeking mentors. He reported that the Veterans' Day event had been a great success and confirmed his attendance at the Coconino County Criminal Justice and NAU Economic Outlook Conference. He added that there had been an Alliance meeting

the previous Friday, during which he had brought up the idea of reaching out to students at risk of dropping out. Additionally, he requested a Future Agenda Item Request or City Council Report on a 24/7 facility space for people to detox and to receive support from professionals to divert them from the criminal justice system. He expressed curiosity about the barriers to implementing this at the local level, potential partners, and what it would take to initiate the process.

Councilmember McCarthy shared that he and others had met with BNSF regarding the flood control project under the railroad tracks. He also mentioned attending the FMPO meeting and the Climate Action Coffee downtown. He added that the first Housing Commission meeting would be held at the NACET building.

Councilmember Whelan inquired about the discussion with the railroad and when Council would receive updates. Councilmember McCarthy explained that there had been an agreement for engineers from BNSF, the City, and other parties to collaborate on resolving the issues. He mentioned that multiple options were being explored, and that the meeting attendees expressed concerns about potential impacts on the adjacent tracks during excavation. He emphasized that the primary objective of the meeting was to facilitate dialogue among the engineers and reported that the meeting had been productive.

Councilmember Aslan noted that he had also attended the BNSF meeting.

Councilmember Salas expressed gratitude to veterans for their service and mentioned attending the CVB's Coffee Klatch at Flag Tag. She inquired about the Meet and Greet event between members of the Flagstaff City Council and the Hualapai Tribal Council, which was listed as a placeholder on the working calendar. Mr. Clifton informed her that the item had been rescheduled for a later date. Councilmember Salas requested a Future Agenda Item Request for discussion regarding a program to engage local businesses in voluntarily eliminating single-use plastics.

Mayor Evans urged staff to prepare a detailed CCR regarding a detox center, citing Flagstaff's history of having one. She thanked Councilmembers Whelan and Salas for hosting a tea to welcome Mrs. Clifton to the City. She also addressed the BNSF meeting, mentioning their invitation for the City to visit their operation center. Mayor Evans inquired about the Eternal Flame at the American Legion, noting issues with its functionality. She recalled a previous Council discussing funding for its repair, including covering gas costs, and requested staff to gather more information on the matter. She also mentioned that the League of Arizona Cities and Towns passed a resolution for a Mexico/America agreement, with the Executive Director present at the last meeting. Lastly, she mentioned the annual Sunnyside Stone Soup event scheduled for the following week.

10. Adjournment

The Flagstaff City Council Work Session of November 12, 2019, adjourned at 9:37 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 November 12, 2019. I further certify that the Meeting was duly called and held and that a quorum was present.

DATED this 1st day of October, 2024

CITY CLERK