

MINUTES

1. CALL TO ORDER

Mayor Daggett called the meeting of the Flagstaff City Council held September 17, 2024, 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 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
COUNCILMEMBER HARRIS
COUNCILMEMBER HOUSE
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 House 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. OPEN CALL TO THE PUBLIC

Open Call to the Public enables the public to address the Council about an item that is not on the prepared agenda. Comments relating to items that are on the agenda will be taken at the time that the item is discussed. Open Call to the Public appears on the agenda twice, at the beginning and at the end. The total time allotted for the first Open Call to the Public is 30 minutes; any additional comments will be held until the second Open Call to the Public.

If you wish to address the Council in person at today'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 Open Call to the Public and Public Comment. 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.

IT Manager Shawn Armour addressed Council and recognized IT Professionals Week and acknowledged the contributions of the City's IT Division.

Hunter Herbert, Executive Director of the Downtown Business Alliance, addressed Council and thanked them for their service and expressed enthusiasm for future collaboration.

Public Works Streets Director Sam Beckett addressed Council and provided an update on the Road Repair and Street Safety Project, highlighting ongoing work in the downtown area.

Dennis Givens addressed Council and acknowledged U.S. Constitution Day and extended an invitation to Morning Glory Cafe. He also expressed concerns about individual freedoms, stating that people should not be forced to act against their will.

5. COUNCIL LIAISON REPORTS

Councilmember Harris shared that she attended the Parks and Recreation Commission meeting, where discussions focused on ice rink operations.

Councilmember Sweet noted that a Water Commission meeting was scheduled to take place later that week.

6. APPOINTMENTS

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 the City Council may vote to go into executive session, which will not be open to the public, for the purpose of discussing or considering employment, assignment, appointment, promotion, demotion, dismissal, salaries, disciplining or resignation of a public officer, appointee, or employee of any public body...., pursuant to A.R.S. §38-431.03(A)(1).

A. Consideration of Appointments: Parks and Recreation Commission

Moved by Councilmember Deborah Harris, **seconded by** Councilmember Khara House to appoint Neil Frazier for a term expiring August 2027.

Vote: 7 - 0 - Unanimously

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Khara House to appoint Jill Christensen for a term expiring August 2027.

Vote: 7 - 0 - Unanimously

Moved by Mayor Becky Daggett, seconded by Councilmember Miranda Sweet to appoint Josh Stackhouse for a term expiring August 2026.

Vote: 7 - 0 - Unanimously

B. Consideration of Appointments: Housing Commission

Moved by Councilmember Miranda Sweet, seconded by Councilmember Jim McCarthy to appoint Devonna McLaughlin to the Low Income Housing Expert position for a term expiring September 2027.

Vote: 7 - 0 - Unanimously

Moved by Councilmember Lori Matthews, seconded by Councilmember Khara House to appoint Karen Flores to the Real Estate Professional - Lender position for a term expiring September 2027.

Vote: 7 - 0 - Unanimously

C. Consideration of Appointments: Beautification and Public Art Commission

Moved by Vice Mayor Austin Aslan, seconded by Councilmember Jim McCarthy to appoint Audra Travelbee for a term expiring June 2028.

Vote: 7 - 0 - Unanimously

D. Consideration of Appointments: Airport Commission

Moved by Councilmember Deborah Harris, seconded by Councilmember Jim McCarthy to appoint Robert Carpenter for a term expiring October 2027.

Vote: 7 - 0 - Unanimously

Moved by Vice Mayor Austin Aslan, seconded by Councilmember Jim McCarthy to appoint Andrew Shouse for a term expiring October 2027.

Vote: 7 - 0 - Unanimously

7. LIQUOR LICENSE PUBLIC HEARINGS

Applications under Liquor License Public Hearings may be considered under one public hearing and may be acted upon by one motion unless otherwise requested by Council.

Mayor Daggett opened the public hearing on the application.

Sergeant Nick Almendarez introduced the applications and noted no concerns with Golden Dragon but that there were active Zoning Code and Building violations for Wanderlust Brewing Company.

There being no public comment, Mayor Daggett closed the public hearing.

A. Consideration and Action on Liquor License Application: Xiande Fang, "Golden Dragon", 2730 E. Lakin Dr., Series 12 (Restaurant), New License

Moved by Councilmember Jim McCarthy, seconded by Councilmember Lori Matthews to forward the application to the state with a recommendation for approval.

Vote: 7 - 0 - Unanimously

B. Consideration and Action on Liquor License Application: Nathan Phillips, "Wanderlust Brewing Company", 1519 N. Main Street, #102, Series 03 (In State Microbrewery), Acquisition of Control

Councilmember McCarthy referenced the meeting packet, noting that while a concept plan was mentioned, a building application had not yet been submitted.

Planning Director Michelle McNulty responded that the applicant had participated in a pre-application meeting and was actively working to submit the necessary materials. She stated that the Planning

Division was comfortable moving the application forward at that stage in the process.

Moved by Councilmember Jim McCarthy, **seconded by** Councilmember Miranda Sweet to forward the application to the state with a recommendation for approval.

Vote: 7 - 0 - Unanimously

8. CONSENT AGENDA

All matters under Consent Agenda are considered by the City Council to be routine. Unless a member of City Council expresses a desire at the meeting to remove an item from the Consent Agenda for discussion, the Consent Agenda will be enacted by one motion approving the recommendations listed on the agenda. Unless otherwise indicated, expenditures approved by Council are budgeted items.

Councilmember Harris requested that Item 8A be pulled for discussion.

Moved by Councilmember Lori Matthews, **seconded by** Councilmember Khara House to approve the Consent Item 8B as presented.

Vote: 7 - 0 - Unanimously

- A. **Consideration and Approval of a Loan Agreement:** Approval of a loan agreement with The Villas on Lake Mary, LLC for \$397,398.00 distributed from the American Rescue Plan Act Coronavirus Local Fiscal Recovery Funds (ARPA). Loan documents include a sub-award loan agreement, consent and subordination agreement, declaration of restrictive covenants, promissory note, and deed of trust.

Councilmember Harris asked for more details about the loan structure and what happened with the funds once they were repaid. Housing and Grants Administrator Kristine Pavlik explained that the funds came from the American Rescue Plan Act (ARPA) allocation. When repaid, the funds returned as program income and could be reallocated to support other housing programs. She stated that the loan was for 30 years with no interest, and the borrower was required to maintain affordability for the full term in accordance with state Low-Income Housing Tax Credit requirements.

Councilmember Harris followed up by asking what the borrower needed the funds for. Ms. Pavlik responded that the applicant had responded to a Notice of Funding Availability and was ranked through a competitive process. The request was due to significant cost increases in their development project. She added that the applicant had also applied for incentive funds, and all funding decisions were made through the established application and review process.

Councilmember Harris then asked about the timeline for spending ARPA funds and how repayment fit within those requirements. Ms. Pavlik clarified that ARPA funds must be allocated by the end of the year (2025) and spent by the end of next year (2026). She added that the applicant was expected to draw down the funds quickly once awarded.

Moved by Councilmember Deborah Harris, **seconded by** Councilmember Khara House to approve the loan agreement between the City of Flagstaff and The Villas on Lake Mary, LLC, utilizing \$397,398.00 of the American Rescue Plan Act Coronavirus Local Fiscal Recovery Funds and authorize the City Manager to execute the necessary documents.

Vote: 7 - 0 - Unanimously

- B. **Consideration and Approval of Final Plat** JP325, LLC requests Final Plat approval for Juniper Point, Parcel 2, located at 2000 John Wesley Powell Boulevard, a single-family subdivision of 62 lots concentrated on 17.54 acres of the approximately 240-acre site in the Rural Residential (RR) Zone utilizing the Planned Residential Development (PRD).

Staff recommends approving the final plat and authorizing the Mayor to sign both the plat and City/Subdivider Agreement when notified by staff that all conditions have been met and documents are ready for recording.

9. ROUTINE ITEMS

- A. **Consideration and Adoption of Ordinance No. 2024-21:** An ordinance of the City Council of the City of Flagstaff accepting and approving an easement agreement and grant of easement from BNSF for the installation of a water line and fire hydrant for fire suppression purposes.

Moved by Councilmember Lori Matthews, **seconded by** Councilmember Miranda Sweet to read Ordinance No. 2024-21 by title only for the final time.

Vote: 7 - 0 - Unanimously

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, ACCEPTING AND APPROVING AN EASEMENT AGREEMENT WITH BNSF; PROVIDING FOR SEVERABILITY, AUTHORITY FOR CLERICAL CORRECTIONS, AND ESTABLISHING AN EFFECTIVE DATE

Moved by Councilmember Lori Matthews, **seconded by** Councilmember Miranda Sweet to adopt Ordinance No. 2024-21.

Vote: 7 - 0 - Unanimously

- B. **Consideration and Approval of Contract:** Change Order 3 with Hunter Contracting Co. for the Inner Basin Waterline Restoration Project

Capital Improvements Project Manager David Pedersen provided a PowerPoint presentation that covered the following:

INNER BASIN WATERLINE RESTORATION PROJECT
 PROJECT STAKEHOLDERS
 EXCITING NEWS
 EXCITING NEWS -- SITE 30
 EXCITING NEWS -- SITE 9
 EXCITING NEWS -- SITE 7
 EXCITING NEWS -- SITE I
 EXCITING NEWS -- SITE A
 CONTRACT & PROJECT TIMELINE
 PREVIOUS CHANGE ORDERS
 THE UNEXPECTED
 CHANGE ORDER 3

Councilmember House expressed hope that the project information could be shared more broadly, suggesting that a video highlighting the work accomplished would be valuable for outreach. Grants, Contracts, and Emergency Management Director Stacey Brechler-Knaggs agreed, stating the project was being submitted for state and federal awards, and a video would be a strong addition to the application. Mr. Pederson noted that there was a project website available to share more detailed information with the public.

Councilmember Sweet reported participating in the recent field tour and praised the impressive progress made in a relatively short time. She expressed enthusiasm for the upcoming event on the fourth.

Council expressed appreciation for the significant work completed and excitement to showcase the accomplishments to a wider audience. They also discussed logistical challenges and the time required to access various sites with necessary equipment and materials.

Moved by Councilmember Khara House, **seconded by** Councilmember Lori Matthews to approve Change Order 3 for repair work at Flagstaff Spring with Hunter Contracting Co. in the amount of \$189,098.20 and no additional calendar days to the contract period and authorize the City Manager to execute the necessary documents.

Vote: 7 - 0 - Unanimously

10. REGULAR AGENDA

- A. **Consideration and Adoption of Resolution No. 2024-36:** A resolution of the Flagstaff City Council, approving an Intergovernmental Agreement between MetroPlan and the City of Flagstaff for project management of the Transportation Alternatives Safe Routes to School Grant Award

Transportation Planner Martin Ince presented an Intergovernmental Agreement (IGA) authorized with MetroPlan, related to a Safe Routes to School grant awarded to MetroPlan a few months ago. The grant, managed statewide by ADOT, included three components: a feasibility study for a left-turn lane from Pine Cliff onto Cedar on the Mesa; concept planning for pedestrian and bicycle accommodations around schools, with a focus on the Sunnyside area and construction, which would occur later subject to available funding. The city's portion of the grant was approximately \$500,000, with a local match required, which had already been budgeted within the current concept planning funds.

Moved by Councilmember Miranda Sweet, **seconded by** Councilmember Jim McCarthy to read Resolution No. 2024-36 by title only.

Vote: 7 - 0 - Unanimously

A RESOLUTION OF THE FLAGSTAFF CITY COUNCIL, APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN METROPLAN AND THE CITY OF FLAGSTAFF FOR PROJECT MANAGEMENT OF THE TRANSPORTATION ALTERNATIVES SAFE ROUTES TO SCHOOL GRANT AWARD

Moved by Councilmember Miranda Sweet, **seconded by** Councilmember Jim McCarthy to adopt Resolution No. 2024-36.

Vote: 7 - 0 - Unanimously

- B. **Consideration of Proposed Amendment to Observatory Mesa Right-of-Way Easement**

Open Space Supervisor Robert Wallace provided a PowerPoint presentation that covered the following:

PROPOSED AMENDMENT TO OBSERVATORY MESA RIGHT-OF-WAY EASEMENT
 OBSERVATORY MESA NATURAL AREA
 OBSERVATORY MESA NATURAL AREA SECTION 6
 OBSERVATORY MESA NATURAL AREA & PROPOSED ROW AMENDMENT
 PHOTOS OF PROPOSED EASEMENT
 CHANGES IN LAND PROTECTION AND USE
 CITY AND STATE ROLE
 DEED OF CONSERVATION EASEMENT
 CONSIDERATIONS
 OPEN SPACES COMMISSION CONCERNS
 OPEN SPACES COMMISSION RECOMMENDATION
 NEXT STEPS
 OPTIONS FOR CONSIDERATION

Councilmember House asked if the discussion had any bearing on the greater Mesa Observatory. Mr. Robert Wallace responded that the road in question was currently public access and was not included in the trail plan draft except as a pedestrian walking area.

Councilmember Harris acknowledged the difficulty of the issue, recalling from the Open Space Commission discussion that the commission likely would not be satisfied with any solution other than not proceeding, which was not an option. She expressed hope to avoid similar situations in the future.

Councilmember Matthews inquired whether the road was the property owners only access and if they were now requesting it to be realigned. Deputy City Attorney Kevin Finchel confirmed that it was

their sole access.

Cody Routson addressed Council, thanking them for considering the item. He confirmed it was their only access and noted they had worked collaboratively with the city and Open Spaces Commission to reach the best possible compromise. He stated they were prepared to meet the terms and conditions identified.

Councilmember Matthews asked about the timeline for developing the property.

Mr. Routson replied that the process was taking longer than anticipated but they hope to begin building as soon as possible after completing the necessary procedures.

Councilmember Matthews noted that the city purchased the land. Mr. Fincel clarified that the city purchased the land after the easement was granted to prior owners.

Councilmember Matthews asked why the access issue was not resolved at that time. Mr. Fincel explained the city was aware of the easement and the private properties when the land was purchased and that the issue arose from fire code requirements necessitating road improvements.

Councilmember Matthews commented that while the easement and access existed, the need for road improvements was identified later. Mr. Fincel affirmed that the city always understood road improvements would be necessary upon purchase.

Councilmember House asked if the property owners were aligned with the Open Spaces Commission recommendations. Mr. Routson confirmed their agreement with the recommendations and their willingness to meet the outlined terms.

Vice Mayor Aslan expressed that he was inclined to recommend approval of the easement with the Open Spaces Commission conditions, provided they adequately addressed the property owners' needs. He emphasized the city's obligation to honor the spirit of the land purchase and affirmed it was fair for private owners to have access. He voiced concern about future development but stated he could support moving forward if the Open Spaces Commission conditions were sufficient.

Mr. Routson stated they could meet the conditions and noted that the road could only serve a limited number of homes, approximately 30 units. He explained that further development would present access challenges, including secondary access requirements.

Mr. Fincel added that any significant additional development would trigger subdivision requirements, and the lack of water and sewer infrastructure further limited development potential. He emphasized that those factors served as safeguards against overdevelopment.

Council gave direction to support amending the right-of-way easement #16-88092.

C. Consideration and Adoption of Resolution No. 2024-35: A resolution approving a Binding Waiver of Enforcement for one parcel of land located in the Canyon Del Rio subdivision in the City of Flagstaff.

Deputy City Attorney Kevin Fincel provided a PowerPoint presentation that covered the following:

PROP 207 CLAIMS BINDING WAIVER OF ENFORCEMENT
BACKGROUND
ORDINANCE 2022-04
PROP 207 CLAIMS
OVERVIEW OF PROP 207
BINDING WAIVER OF ENFORCEMENT

Vice Mayor Aslan expressed reluctance to grant the waiver, preferring to allow the legal process to proceed, as he did not believe the property owners' claim had merit.

Councilmember McCarthy sympathized with the Vice Mayor's concerns but indicated he was inclined to approve the resolution.

Councilmember Matthews agreed with both Vice Mayor Aslan and Councilmember McCarthy, stating she did not view the situation as a violation. However, considering housing and density needs, she supported approving the waiver to enable additional housing.

Councilmember Harris also agreed to move forward, noting the potential costs in time and money if the matter were taken to court.

Vice Mayor Aslan acknowledged the collective decision but noted he did not believe the vote should be unanimous. While he understood the need for housing, he cautioned that granting the waiver could set a precedent that developers might use to push further demands. He emphasized the importance of clearly defining the city's stance to protect future interests.

Councilmember Matthews pointed out that the incentives for the project changed after 2022 and that prior to those changes, the project would have met the incentive requirements. Deputy City Attorney Kevin Finsel confirmed and noted the developer's intent to use prior provisions.

Councilmember Matthews stated she did not believe the owners had a strong case but recognized merit in their situation due to changes in incentives during their development process.

Moved by Councilmember Khara House, seconded by Councilmember Lori Matthews to read Resolution No. 2024-35 by title only.

Vote: 6 - 1

NAY: Vice Mayor Austin Aslan

A RESOLUTION OF THE FLAGSTAFF CITY COUNCIL, APPROVING BINDING WAIVERS OF ENFORCEMENT FOR ONE PARCEL OF LAND WITHIN THE CORPORATE LIMITS OF THE CITY OF FLAGSTAFF

Moved by Councilmember Khara House, seconded by Councilmember Deborah Harris to adopt Resolution No. 2024-35.

Vote: 6 - 1

NAY: Vice Mayor Austin Aslan

11. **OPEN CALL TO THE PUBLIC**

DJ addressed Council and thanked them for their sensible actions and access to the law library. He referenced his ongoing housing discrimination claim and urged the Council to help, saying it did not make sense for him to remain homeless. He emphasized that his concerns were made respectfully.

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

Vice Mayor Aslan noted he would attend the State of the Verde Watershed Conference remotely next week, focusing on strengthening watershed partnerships.

Councilmember House announced her election as secretary of the Arizona Commission of African American Affairs.

Mayor Daggett highlighted National Register to Vote Day and reminded residents that the voter registration deadline was October 7, directing them to [vote.gov](https://www.vote.gov). She also announced a \$1 million EPA grant from the Inflation Reduction Act for three resiliency hubs in Flagstaff. She congratulated the Sustainability staff for securing the funding and expressed excitement for future updates.

13. **ADJOURNMENT**

The Regular Meeting of the Flagstaff City Council held September 17, 2024, adjourned at 4:37 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 September 17, 2024. I further certify that the Meeting was duly called and held and that a quorum was present.

DATED this 16th day of December, 2025

CITY CLERK