

4:00 P.M.

1. CALL TO ORDER

Mayor Nabours called the Regular Meeting of July 7, 2015, to order at 4:02 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:

MAYOR NABOURS
VICE MAYOR BAROTZ
COUNCILMEMBER BREWSTER
COUNCILMEMBER ORAVITS
COUNCILMEMBER OVERTON
COUNCILMEMBER PUTZOVA

ABSENT:

COUNCILMEMBER EVANS

Others present: Interim City Manager Jeff Meilbeck and City Attorney Michelle D'Andrea.

3. PLEDGE OF ALLEGIANCE AND MISSION STATEMENT

The audience and City Council recited the Pledge of Allegiance and Mayor Nabours read the City of Flagstaff Mission Statement.

MISSION STATEMENT

The mission of the City of Flagstaff is to protect and enhance the quality of life of its citizens.

4. APPROVAL OF MINUTES FROM PREVIOUS MEETINGS

- A. Consideration and Approval of Minutes:** City Council Joint Work Session of April 6, 2015; Work Session of April 14, 2015; Special Work Session of April 17, 2015; Work Session of April 28, 2015; Work Session of May 12, 2015; Special Meeting (Executive Session) of June 3, 2015; Special Meeting (Executive Session) of June 9, 2015; Work Session of June 9, 2015; Special Meeting (Executive Session) of June 11, 2015; Special Meeting (Executive Session) of June 12, 2015; Regular Meeting of June 16, 2015; and Special Meeting (Executive Session) of June 30, 2015.

Moved by Mayor Jerry Nabours, **seconded by** Councilmember Scott Overton to approve the minutes of the City Council Joint Work Session of April 6, 2015; Work Session of April 14, 2015; Special Work Session of April 17, 2015; Work Session of April 28, 2015; Work Session of May 12, 2015; Special Meeting (Executive Session) of June 3, 2015; Special Meeting (Executive Session) of June 9, 2015; Work Session of June 9, 2015; Special Meeting (Executive Session) of June 11, 2015; Special Meeting (Executive Session) of June 12, 2015; Regular Meeting of June 16, 2015; and the Special Meeting (Executive Session) of June 30, 2015.

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 (or is listed under Possible Future Agenda Items). 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.

None

6. PROCLAMATIONS AND RECOGNITIONS

None

7. 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: Library Board.

Moved by Councilmember Jeff Oravits, **seconded by** Mayor Jerry Nabours to appoint Joanne Parkes and Dorothy Renstrom to the Library Board with terms to expire November 2017.

Vote: 6 - 0 - Unanimously

B. Consideration of Appointments: Planning and Zoning Commission.

Moved by Councilmember Scott Overton, **seconded by** Councilmember Jeff Oravits to appoint Alexandra Pucciarelli to the Planning and Zoning Commission, term expiring December 2017.

Councilmember Putzova pointed out that the Planning and Zoning Commission is a high-stake commission, and oftentimes this commission attempts to balance the interests of the environment and economic development. She said that currently everyone on the Commission is in one way or another tied to the construction industry or architectural engineering firms. She would like to see representatives from other groups. Two of the applicants met that criteria--Robert Kelty and Margo Wheeler, but she understood those names were not brought forward.

Vice Mayor Barotz said that she considered it a concern and while Alexandra had good qualifications, she did think it would be nice to attempt to ensure that the broader community has representation.

Vote: 5 - 1

NAY: Vice Mayor Celia Barotz

C. Consideration of Appointments: Open Space Commission.

Moved by Councilmember Jeff Oravits, **seconded by** Vice Mayor Celia Barotz to appoint Jimmy Burton to the Open Space Commission, term expiring April 2016.

Vice Mayor Barotz said that she attempted to call all of the applicants and was able to reach several. She said that Mr. Burton is a 12-year resident of Flagstaff and certainly appreciates what the charge is of the Open Space Commission. She fully supports his nomination.

Vote: 6 - 0 - Unanimously

8. LIQUOR LICENSE PUBLIC HEARINGS

None

9. 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.

A. Consideration and Approval of Sole Source Contract: Sole source advertising contract with Legends Entertainment District. **(Purchase of the Flagstaff Cool Zone)**

Economic Vitality Director Heidi Hansen explained that this was paid for out of the BBB funds; however, they actually cost recover approximately \$40,000 of it through sponsorships.

Mayor Nabours asked if it was part of the freezing bicycles and things. Ms. Hansen replied that it was part of the campaign they had. She added that staff will be back in September to give a more thorough report on the entire campaign.

Councilmember Brewster said that it was a great place to advertise, right next to the light rail so that even if someone is not attending the game they benefit from it.

Ms. Hansen said that they are actually rewrapping the entire cool zone, and that will stay in place the entire year.

Moved by Councilmember Jeff Oravits, **seconded by** Councilmember Karla Brewster to approve the purchase of the Flagstaff Cool Zone with Legends Entertainment District in the amount of \$65,000, as a sole source procurement.

Vote: 6 - 0 - Unanimously

10. ROUTINE ITEMS

A. Consideration and approval of Grant Agreement: To the U.S. Department of Justice, through the Arizona Criminal Justice Commission, for the Edward Byrne Justice Assistance Grant funds in the amount of \$291,660.00 for the Northern Arizona Street Crimes Task Force **(aka METRO unit)**.

Police Lt. Scott Mansfield reviewed the grant award is in the amount of \$218,745.00 (75%) with required matching funds of \$72,915.00 (25%) for a total grant award of \$291,660. He said that if approved, this will be the 29th cycle of the grant and it is used to fund salaries of a Sergeant, Police Officer and County Sheriff Deputy.

Moved by Councilmember Scott Overton, **seconded by** Councilmember Jeff Oravits to approve the acceptance of the grant from the U.S. Department of Justice, through the Arizona Criminal Justice Commission, Edward Byrne Justice Assistance Grant funds in the amount of \$291,660.00 for FY2016.

Vote: 6 - 0 - Unanimously

B. Consideration and Adoption of Ordinance No. 2015-15: An ordinance of the Flagstaff City Council adopting amendments to the Flagstaff City Code, Title 5, *Fire Code*, to be consistent with Arizona Revised Statutes. **(Fireworks Regulations)**

Fire Marshal Patrick Staskey reviewed the changes proposed by this ordinance, to bring the City Code consistent with recent changes in State law. He distributed a one-page handout which indicated the different types of fireworks which were permitted and not permitted.

Moved by Mayor Jerry Nabours, **seconded by** Councilmember Scott Overton to read Ordinance No. 2015-15 by title only for the first time.

Vote: 6 - 0 - Unanimously

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, ARIZONA, AMENDING FLAGSTAFF CITY CODE TITLE 5, FIRE CODE, BY AMENDING SECTION 5-02-002, REGULATIONS FOR THE USE OF CONSUMER FIREWORKS, THEREOF

- C. **Consideration and Adoption of Ordinance No. 2015-11:** An ordinance levying upon the assessed valuation of the property within the City of Flagstaff, Arizona, subject to taxation a certain sum upon each one hundred dollars (\$100.00) of valuation sufficient to raise the amount estimated to be required in the Annual Budget, less the amount estimated to be received from other sources of revenue; providing funds for various bond redemptions, for the purpose of paying interest upon bonded indebtedness and providing funds for general municipal expenses, all for the Fiscal Year ending the 30th day of June, 2016.
(Property Tax Levy for FY 15-16)

Mayor Nabours noted that this was second read and adoption of the property tax levy and it was staying flat.

Moved by Councilmember Scott Overton, **seconded by** Councilmember Jeff Oravits to read Ordinance No. 2015-11 by title only for the final time.

Vote: 5 - 1

NAY: Councilmember Eva Putzova

AN ORDINANCE LEVYING UPON THE ASSESSED VALUATION OF THE PROPERTY WITHIN THE CITY OF FLAGSTAFF, ARIZONA, SUBJECT TO TAXATION A CERTAIN SUM UPON EACH ONE HUNDRED DOLLARS (\$100.00) OF VALUATION SUFFICIENT TO RAISE THE AMOUNT ESTIMATED TO BE REQUIRED IN THE ANNUAL BUDGET, LESS THE AMOUNT ESTIMATED TO BE RECEIVED FROM OTHER SOURCES OF REVENUE; PROVIDING FUNDS FOR VARIOUS BOND REDEMPTIONS, FOR THE PURPOSE OF PAYING INTEREST UPON BONDED INDEBTEDNESS AND PROVIDING FUNDS FOR GENERAL MUNICIPAL EXPENSES, ALL FOR THE FISCAL YEAR ENDING THE 30TH DAY OF JUNE, 2016

Moved by Councilmember Karla Brewster, **seconded by** Councilmember Jeff Oravits to adopt Ordinance No. 2015-11.

Vote: 6 - 0 - Unanimously

- D. **Consideration of Appointment and Approval of Agreement:** City Manager.

Moved by Councilmember Jeff Oravits, **seconded by** Councilmember Karla Brewster to appoint and approve the agreement for Josh Copley as the City Manager effective September 0, 2015, for the City of Flagstaff.

Vote: 6 - 0 - Unanimously

- E. **Consideration of Appointments:** Magistrates and Presiding Magistrate for the Flagstaff Municipal Court.

Moved by Mayor Jerry Nabours, **seconded by** Councilmember Karla Brewster to approve the appointments of Thomas L. Chotena as the Presiding Magistrate, Michael Araujo as Magistrate and Paul Julien as Magistrate, On-Call.

Vote: 6 - 0 - Unanimously

- F. Consideration and Adoption of Ordinance No. 2015-14:** Amending the Employee Handbook of Regulations and Flagstaff City Code by adopting amendments relating to Retiree Insurance relating to eligibility.

Benefits Analyst Drew Becker addressed the Council, noting that this was a recommended change to align with other members of the Northern Arizona Public Employee Benefits Trust (NAPEBT) to provide for employees with five years of continuing service with any NAPEBT organization, hired on after July 1, 2015, to be eligible for retiree insurance. Those employees hired before that date with the City were eligible to apply for retiree insurance at the time of retirement, regardless of their length of time with the City.

Councilmember Putzova asked what benefits there were with this change to the City or its employees. Mayor Nabours said that they are in a group insurance plan and this will make all of the organizations be consistent in their requirements for retiree insurance eligibility. Councilmember Overton said that an employee would be more encouraged to stick with the City for at least five years with this in place.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF RELATING TO RETIREE INSURANCE, AMENDING THE EMPLOYEE HANDBOOK OF REGULATIONS AND FLAGSTAFF CITY CODE, PROVIDING FOR PENALTIES, REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY, AUTHORITY FOR CLERICAL CORRECTIONS, AND ESTABLISHING AN EFFECTIVE DATE

Moved by Mayor Jerry Nabours, **seconded by** Councilmember Jeff Oravits to read Ordinance No. 2015-14 by title only for the first time.

Vote: 5 - 1

NAY: Councilmember Eva Putzova

RECESS

The 4:00 p.m. portion of the July 7, 2015, Regular Council meeting recessed at 4:30 p.m.

6:00 P.M. MEETING

RECONVENE

Mayor Nabours reconvened the meeting of July 7, 2015, at 6:00 p.m.

NOTICE OF OPTION TO RECESS INTO EXECUTIVE SESSION

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11. ROLL CALL

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

PRESENT

MAYOR NABOURS
 VICE MAYOR BAROTZ
 COUNCILMEMBER BREWSTER
 COUNCILMEMBER EVANS
 COUNCILMEMBER ORAVITS
 COUNCILMEMBER OVERTON
 COUNCILMEMBER PUTZOVA

ABSENT

NONE

Others present: Interim City Manager Jeff Meilbeck and City Attorney Michelle D'Andrea.

12. PUBLIC PARTICIPATION

Ward Davis, Flagstaff, addressed the Council with concerns related to the current rate study being done. He said that everything done has been flawed and the consultant does not seem to understand how the rate study controls water conservation.

Mayor Nabours reported that the Council would be discussing water rates some at next week's Work Session.

13. CARRY OVER ITEMS FROM THE 4:00 P.M. AGENDA

None

14. PUBLIC HEARING ITEMS

None

15. REGULAR AGENDA

- A. Consideration and Adoption of Ordinance No. 2015 - 12:** An ordinance of approval for the Roadway Functional Classifications and Truck Routes map being placed into the Engineering Standards. ***(Update/Addition to Engineering Standards)***

Transportation Engineering Project Manager Stephanie Sarty addressed the Council with a brief PowerPoint that addressed:

OVERVIEW

2001 REGIONAL PLAN MAPS

Map 10

Map 11

NEW MAP

Will reside in Engineering Standards - modified to reflect the new Regional Plan
ENGINEERING STANDARDS

Provides for map definitions, cross sections, roadway geometry and other design elements to be in one location

CONCLUSION

Mayor Nabours said that in looking through the maps and comparing them it looks like some of the roads were downgraded and some were upgraded. Ms. Sarty replied that there have been changes or modifications improving all of them. She added that there were no changes in the two truck routes. She clarified that this was not a change to the Regional Plan.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, ARIZONA, AMENDING THE FLAGSTAFF CITY CODE, CHAPTER 13-10, STREETS, BY ADDING SECTION 13-10-014 "ROADWAY FUNCTIONAL CLASSIFICATIONS AND TRUCK ROUTES"; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY, AUTHORITY FOR CLERICAL CORRECTIONS, AND ESTABLISHING AN EFFECTIVE DATE

Moved by Councilmember Jeff Oravits, **seconded by** Councilmember Karla Brewster to read Ordinance No. 2015-12 by title only for the first time.

Vote: 7 - 0 - Unanimously

B. Approval of Ballot Language: For November 2015 Special Election. *(Approval of Ballot Language as exhibit to Resolution No. 2015-26)*

Councilmember Putzova said that the process has been very confusing and she did not appreciate the way it was done.

Moved by Mayor Jerry Nabours, **seconded by** Councilmember Jeff Oravits to approve the seven questions as presented by staff tonight as Exhibit A to Resolution No. 2015-26.

Vote: 4 - 3

NAY: Vice Mayor Celia Barotz
Councilmember Coral Evans
Councilmember Eva Putzova

Councilmember Oravits thanked staff for preparing this and the long process involved. Mayor Nabours echoed his thanks, especially to Ms. Burke, Ms. D'Andrea and Vice Mayor Barotz in getting the two personnel questions consolidated.

16. DISCUSSION ITEMS

None

17. FUTURE AGENDA ITEM REQUESTS

After discussion and upon agreement of three members of the Council, an item will be moved to a regularly-scheduled Council meeting.

- A. Request by Councilmember Oravits for a future agenda item to have provided a Low Impact Development Update.

Councilmember Oravits said that he would like to have a future presentation where staff comes in and explains how things have gone with the recent changes to low-impact development (LID), specifically the retention basins. Mayor Nabours added that during the May 26 listening tour comments were received about concerns with the LID.

After some discussion on specifically what they were looking to receive an update on, consensus was to receive a report on the stormwater policy and tools available to address issues, along with being prepared to get into the LID.

- B. Request by Vice Mayor Barotz for a future agenda to discuss a possible resolution of support for the Stepping Up Initiative.

Vice Mayor Barotz said that a resolution of support by the County for the Stepping Up Initiative was presented at the Council's recent joint work session with the County and she would like the City to consider adopting a similar resolution. Consensus was to move this item forward and bring a resolution back for consideration.

18. **INFORMATIONAL ITEMS AND REPORTS FROM COUNCIL AND STAFF, REQUESTS FOR FUTURE AGENDA ITEMS**

Councilmember Overton reported that it was a nice Fourth of July parade.

Vice Mayor Barotz suggested that they consider walking together as a Council next year to send a unified message that they can walk together at the parade.

Councilmember Evans said that she has had the opportunity to speak with business owners lately and there is still a serious issue with panhandling. She asked if they could legally require them to register with the City for a business license and tax the money they collect. Depending on the answer to that question, she said that perhaps they could bring an item back for future consideration.

Additionally, Councilmember Evans said that the Council has received a few e-mails regarding air B&B's and she would like to receive a CCR on what regulations the City has for them.

She said that today she had the opportunity to attend the Meet and Greet at Camp Navajo and they mentioned that they have a new Strategic Plan at Camp Navajo. She suggested that the City possibly receive an update from Lt. Col. Vincent at their next joint meeting with the County.

Councilmember Oravits said that it was a great Fourth of July and there were a lot more people in Flagstaff. He commended staff, especially the Police Department, for managing all of the events throughout the weekend.

Councilmember Putzova asked that a F.A.I.R. item be presented for an ordinance to prescribe the process to be followed when a citizen submits a petition, regardless of the outcome of the upcoming election.

Mr. Meilbeck reminded everyone of the Special Work Session scheduled for July 16, 2015,

regarding Public Meeting Protocol.

Mr. Meilbeck reported that Stephanie Smith and Heidi Hansen were both filling in as deputy city managers and it was a testament to their abilities.

Mayor Nabours echoed interest in getting a report on Camp Navajo.

Councilmember Evans also requested that they get an update on a future Work Session regarding the Dew Downtown and what is going to happen with it.

19. ADJOURNMENT

The Regular Meeting of the Flagstaff City Council held July 7, 2015, adjourned at 6:45 p.m.

MAYOR

ATTEST:

CITY CLERK

CERTIFICATION

STATE OF ARIZONA)
) ss.
Coconino County)

I, ELIZABETH A. BURKE, 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 July 7, 2015. I further certify that the Meeting was duly called and held and that a quorum was present.

DATED this 21st day of July, 2015.

CITY CLERK