

MINUTES

1. CALL TO ORDER

Mayor Nabours called the Regular Meeting of the Flagstaff City Council held June 21, 2016, to order at 4:00 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 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:

ABSENT:

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

COUNCILMEMBER EVANS

Others present: City Manager Josh Copley and Interim City Attorney Sterling Solomon.

3. PLEDGE OF ALLEGIANCE AND MISSION STATEMENT

The audience and City Council recited the Pledge of Allegiance and Mayor Nabours 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 of its citizens.

4. APPROVAL OF MINUTES FROM PREVIOUS MEETINGS

- A. Consideration and Approval of Minutes: City Council Regular Meeting of June 7, 2016; and the Special Meeting (Executive Session) of June 14, 2016.**

Moved by Councilmember Scott Overton, **seconded by** Councilmember Jeff Oravits to approve the minutes of the City Council Regular Meeting of June 7, 2016; and the Special Meeting (Executive Session) of June 14, 2016.

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.

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).

None

8. **LIQUOR LICENSE PUBLIC HEARINGS**

Mayor Nabours opened the Public Hearing for both liquor license applications, noting that the Police Department, Sales Tax and Community Development had reviewed the applications and had no concerns. There being no public input, Mayor Nabours closed the Public Hearing.

Moved by Councilmember Jeff Oravits, **seconded by** Councilmember Karla Brewster to forward a recommendation to the State Department of Liquor for approval of both liquor license applications.

Vote: 6 - 0 - Unanimously

- A. **Consideration and Action on Liquor License Application:** Mark Wagner, "Mobil", 2484 E. Butler Ave., Series 09 (liquor store - all spirituous liquor), Person Transfer.
- B. **Consideration and Action on Liquor License Application:** Paul Leung, "Golden Dragon", 2730 E. Lakin Dr., Series 12 (restaurant), New License.

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.

Moved by Mayor Jerry Nabours, **seconded by** Councilmember Scott Overton to approve Consent Items 9-A through 9-D.

Vote: 6 - 0 - Unanimously

A. Consideration and Approval of Payment/Contract Renewal: Annual Computer Software Maintenance

Approve payment of annual software maintenance costs in a budgeted amount not to exceed \$647,473.84 pursuant to contracts with:

- Harris Enterprise (City Contract No. A2012-0619.1), draft invoice for \$140,072.63;
- SHI (reseller for Microsoft) (Arizona Procurement Office Contract No. ADSPO11-007500), draft invoice for \$151,500.14;
- SirsiDynix (Library) (City Contract No. A2000-1023.1, as amended 10/23/2000), draft invoice for \$83,404.61;
- Intergraph Corp. (Public Safety) for \$204,947.48 plus any applicable taxes, and approve its contract renewal;
- ESRI (GIS), (City Contract No. _____), for a 3 year term. annual cost of \$54,475.50 (Quotation # 2048724);
- Sungard H.T.E. for \$13,073.48 (Contract numbers: 2000706, 200050238, 20060930, 20060266).

**B. Consideration and Approval of Contract: Approval for the renewal of the Intergovernmental Agreement between the City of Flagstaff and the Blue Ridge Fire District for dispatch services.
Approve this Intergovernmental Agreement between the City of Flagstaff and the Blue Ridge Fire District for dispatch services.****C. Consideration and Approval of Grant Application to the U.S Department of Justice, FY 2016 Edward Byrne Memorial Justice Assistance Grant in the amount of \$22,799.00.
Approve the submission of a Grant Application and authorized acceptance upon award for the U. S Department of Justice, FY 2015 Edward Byrne Memorial Justice Assistance Grant (JAG) for an amount of \$22,799.****D. Consideration and Approval of Grant Application: Intergovernmental Agreement (IGA) between the City of Flagstaff and Coconino County for submission of a grant application and approval upon award to the U.S. Department of Justice, FY 2016 Edward Byrne Memorial Justice Assistance (JAG) Grant.
Approve the Intergovernmental Agreement with Coconino County for the FY 2016 Edward Byrne Memorial Justice Assistance Grant in an amount of \$6,840 for the Coconino County Sheriff's Office to utilize for the purchase of an electronic recording system for use in criminal investigations.****10. ROUTINE ITEMS****A. Consideration and Approval: Utility Accounts and Miscellaneous Account Receivable Write-offs: Delinquency and Uncollectable Accounts for Fiscal Year 2016.**

Interim Revenue Director Sandy Corder briefly reviewed the request to write off delinquencies for miscellaneous accounts receivable and utility accounts, noting that both have decreased from last year. She said that the majority of these accounts are still under \$5,000.

Moved by Councilmember Jeff Oravits, **seconded by** Councilmember Karla Brewster to approve the write-off of delinquent and uncollectable utility accounts and miscellaneous account receivables in the amount of \$97,656.53.

Vote: 6 - 0 - Unanimously

B. Consideration and Approval of Contract: Animal Shelter Services

Vice Mayor Barotz asked for clarification on the Expanded Financial Considerations section. It said that the City saved \$40,000 through the negotiation process, and it also says they have not received an increase in their services in seven years. She asked what the amount was for last year. Procurement Specialist Damian Gallegos replied that last year it was \$199,985. He said that their initial proposal was \$290,000, but they have negotiated down to \$250,000 for the first three years, with four one-year contract extensions possible. He said that this year they will have the full scope of all 24 services.

Mayor Nabours said that a year or two ago he remembered them requesting additional funding for additional services. Mr. Gallegos said that there were some one-time funds applied a few years ago, and they went from \$161,000 to \$191,000 that year.

Mr. Gallegos added that he made contact with Second Chance by phone and e-mail, but the only proposal received was from the Coconino Humane Association.

Moved by Mayor Jerry Nabours, **seconded by** Councilmember Jeff Oravits to approve the Contract with the Coconino Humane Association to provide animal shelter services for the City of Flagstaff for an annual fee of \$250,000 for the initial term of three (3) years with the possibility of four (4) one year extensions upon mutual written agreement.

Vote: 6 - 0 - Unanimously

C. Consideration and Approval of Intergovernmental Agreement: Transit Service Intergovernmental Agreement between the City of Flagstaff and the Northern Arizona Intergovernmental Public Transportation Authority (NAIPTA).

Finance Director Brandi Suda briefly reviewed the agreement, noting that City and NAIPTA staff have worked closely together. This new agreement is for five years and five one-year extensions.

Moved by Councilmember Scott Overton, **seconded by** Councilmember Karla Brewster to approve the Transit Service Intergovernmental Agreement between the City of Flagstaff and Northern Arizona Intergovernmental Public Transportation Authority (NAIPTA) to provide public transportation services within the City.

Vote: 6 - 0 - Unanimously

D. Recognition of Team Flagstaff Graduates

City Manager Josh Copley asked the Council to come forward and also recognized Dr. Colleen Smith, President of Coconino Community College, and Joanne Keene, Chief of Staff for NAU. He then asked each of the following to come forward and be recognized:

In attendance

- **Chelsey Burden**, Library Page, Master's Degree of Fine Arts in Creative Writing from NAU
- **Jace Elkins**, Transportation Engineering Intern, Bachelor's Degree in Civil Engineering from NAU
- **Cody Graham**, Community Events Coordinator, Bachelor's Degree in Parks and Recreation Management from NAU
- **Jennifer Hunter**, Library Specialist, Bachelor's Degree in Social Work from NAU
- **Emily Johnson**, Library Page, Bachelor's Degree in Sociology from NAU
- **Dylan Lenzen**, Sustainability Aide, Bachelor's Degree in Environmental Science from NAU
- **Amelia Mason**, Library Administrative Specialist, Bachelor's Degree in English/Creative Writing from Southern New Hampshire University
- **Alicia Trilio**, Front Desk Representative at the Aquaplex, Bachelor's Degree from NAU
- **Amy Ulibarri**, Scorekeeper and Site Supervisor, Master's Degree from NAU
- **Matthew Wint**, Finance Specialist, Associates Degree of Applied Science in Businesses from CCC

Not in attendance

- **Jordan Affeldt**, Front Desk Representative at the Aquaplex, Bachelor's Degree in Psychology and Theater from NAU
- **Mia Anderson**, Tour and Travel Intern, Bachelor's Degree in Hotel Restaurant Management from NAU
- **Aimee Backus**, Human Resources Intern, Bachelor's Degree in Psychology from NAU
- **John Begay**, Sustainability Aide, Bachelor's Degree in Environmental Science from NAU
- **Michelle Cueto**, Public Relations Intern, Bachelor's Degree in Strategic Communication from NAU
- **Katy Harding**, Library Assistant, Bachelor's Degree in English from NAU
- **Tommy Hoff**, Jay Lively Ice Rink, Bachelor's Degree in Civil Engineering from NAU
- **Kristina Klewitz**, CVB Intern, Bachelor's Degree in Hotel Restaurant Management from NAU
- **Kerry Loren**, CVB Intern, Bachelor's Degree in Strategic Communications from NAU
- **Dean Pritchard**, Economic Vitality Intern, Bachelor's Degree in Geospatial Sciences and Community Planning from NAU
- **Enrique Robles Gastelum**, Housing Intern, Bachelor's Degree in Geospatial Sciences and Community Planning from NAU
- **Tyler Shamburg**, Jay Lively Ice Rink, Bachelor's Degree in Civil Engineering from NAU
- **Alex Stewart**, Jay Lively Ice Rink, Bachelor's Degree in Biology with wildlife management certificate from NAU
- **Shelton Thomas**, Library Page, Bachelor's Degree in Biology from NAU

Following recess of the 4:00 p.m. portion of the meeting, a reception for the recipients was held in the lobby.

RECESS

Mayor Nabours recessed the 4:00 p.m. portion of the June 21, 2016, Regular Meeting at 4:22 p.m.

6:00 P.M. MEETING

RECONVENE

Mayor Nabours reconvened the Regular Meeting of June 21, 2016, 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:

ABSENT:

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

NONE

Others present: City Manager Josh Copley and Interim City Attorney Sterling Solomon.

12. PUBLIC PARTICIPATION

The following individuals addressed the Council on the issues indicated:

Linda Webb, Flagstaff, regarding the confusion in reading the Council agenda and concern with Council's attitudes toward citizens and other members of Council.

Steven Gerard Sidlovsky regarding a new Citizen Overlay consideration

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

14. PUBLIC HEARING ITEMS

- A. Public Hearing, Consideration and Possible Adoption of Resolution No. 2016-13 and Ordinance No. 2016-22:** Public hearing to consider proposed amendments to Flagstaff Zoning Code, by adoption of Resolution No. 2016-13, declaring the "2016 Amendments to City Code Title 10, Zoning Code, Division 10-50.100, Sign Standards and Other Related Divisions" a public record, and adoption of Ordinance No. 2016-22 adopting amendments to Chapter 10-50 (Supplemental to Zones), Division 10-50.100 (Sign Standards), and other related amendments in Chapter 10-20 (Administration, Procedures and Enforcement), Chapter 10-80 (Definitions) and Chapter 10-90 (Maps); and adoption of Ordinance No. 2016-22, adopting amendments to Flagstaff Zoning Code Chapter 10-50 (Supplemental to Zones), Division 10-50.100 (Sign Standards), and other related amendments in Chapter 10-20 (Administration, Procedures and Enforcement), Chapter 10-80 (Definitions) and Chapter 10-90 (Maps), by reference. **(Zoning Code Amendments - Sign Standards)**

The Public Hearing continued with Planning Director Dan Folke reviewing the sign code amendments in a PowerPoint which addressed:

SIGN CODE AMENDMENT

Regulations must be content neutral

No signs in public right-of-way

Sign Free Zone

Allows City to remove signs in public right-of-way

Outside sign free zone - contact sign owner for removal

PORTABLE SIGNS

A-frame, vertical banner, yard sign

Commercial - 24 sf.

Residential - 16 sq

No limit on time

Wall Bannker - 24 sq with 30 days year

EDITS IN SUMMARY TABLE

CORRECTION:

Table 10-50.100.090B - Standards for Specific Portable Sign Types

Page 50.100-30: Window Sign - should read "refer to end note (2), not (3)

Moved by Mayor Jerry Nabours, seconded by Councilmember Jeff Oravits to adopt Resolution No. 2016-13, as amended.

Councilmember Putzova said that she wants everyone to understand the kind of changes being made tonight. She is specifically concerned that they are impacting access to political speech. With these changes, public right-of-way will no longer be available to anyone to use for political signs. They have created a code in which they give commercial properties more space to display more signs, including political signs, than residential property.

Vice Mayor Barotz said that what the five members supported last time may be legal, but that does not make it right. She is not supporting these changes. When she weighs the issue of clutter or allowing political signs, she is on the side of protecting the rights of everyone.

Councilmember Oravits asked staff what their current restrictions were with regard to commercial property. Mr. Folke said that it is very complicated at the moment, because they had all different types of signs, allowed for different times of year, but they were identified by the type, which made them "content based." He said that they have actually reduced the amount of square footage on political signs permitted on commercial property.

He added that one of the problems with time, place, manner, as addressed by staff, was enforcement. Mr. Folk said that they cannot make rules just for political signs. Councilmember Oravits said that another issue was that they could have a sign the size of a piece of plywood

in the right of way and they could not regulate it. He said that he would support the changes. He noted that prior to 2012 the City did not allow political signs in the right of way and he did not believe that the people wanted to see signs promulgating all over the City.

Vice Mayor Barotz said that when they talked about this before they did not have the Reed case. She is for speech versus clutter.

Vote: 5 - 2

NAY: Vice Mayor Celia Barotz
Councilmember Eva Putzova

Moved by Mayor Jerry Nabours, **seconded by** Councilmember Scott Overton to read Ordinance No. 2016-22 by title only for the final time.

Vote: 5 - 2

NAY: Vice Mayor Celia Barotz
Councilmember Eva Putzova

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, AMENDING THE FLAGSTAFF CITY CODE, TITLE 10, THE CITY OF FLAGSTAFF ZONING CODE, CHAPTER 10-50, SUPPLEMENTAL TO ZONES, DIVISION 10-50.100 SIGN STANDARDS, CHAPTER 10-20, ADMINISTRATION, PROCEDURES, AND ENFORCEMENT, DIVISION 10-20.40, PERMITS AND APPROVALS, AND CHAPTER 10-80, DEFINITIONS, DIVISION 10-80.20, DEFINITIONS OF SPECIALIZED TERMS, PHRASES, AND BUILDING FUNCTIONS, BY ADOPTING BY REFERENCE THAT CERTAIN DOCUMENT ENTITLED "2016 AMENDMENTS TO CITY CODE TITLE 10, ZONING CODE, DIVISION 10-50.100 SIGN STANDARDS, AND OTHER RELATED DIVISIONS"; PROVIDING FOR PENALTIES, REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY, AND ESTABLISHING AN EFFECTIVE DATE

Moved by Mayor Jerry Nabours, **seconded by** Councilmember Scott Overton to adopt Ordinance No. 2016-22.

Vote: 5 - 2

NAY: Vice Mayor Celia Barotz
Councilmember Eva Putzova

B. Public Hearing: Proposed FY 2016 – 2017 Budget and Property Tax Levy.

Mayor Nabours opened the Public Hearing.

Ms. Suda briefly reviewed the budget and tax levy:

CITY OF FLAGSTAFF FY 2017 BUDGET

June 7 - Tentative Budget

Adoption

Sets Max Appropriations

Sets in Motion Legal Requirements for Final Adoption and Property Tax Approval

June 21 - Public Hearing for Budget and Tax Levy

Final Budget Adoption

First Reading of Tax Levy Ordinance

The Public Hearing was closed and the Council recessed into a Special Meeting.

SPECIAL MEETING

Consideration and Adoption of Resolution No. 2016-24: A resolution of the City Council of Flagstaff, Arizona, for the adoption of the Budget for Fiscal Year 2016-17 and Public Hearing for Budget and Levy.

Moved by Mayor Jerry Nabours, **seconded by** Councilmember Scott Overton to read Resolution No. 2016-24 by title only.

Vote: 5 - 2

NAY: Councilmember Coral Evans
Councilmember Eva Putzova

A RESOLUTION OF THE COUNCIL OF THE CITY OF FLAGSTAFF, ARIZONA ADOPTING THE FINAL BUDGET THE CITY OF FLAGSTAFF FOR FISCAL YEAR 2016-2017

Moved by Councilmember Scott Overton, **seconded by** Mayor Jerry Nabours to adopt Resolution No. 2016-24.

Vote: 4 - 3

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

The Special Meeting adjourned and Council reconvened into the Regular Meeting at 6:34 p.m.

- C. Consideration and Adoption of Ordinance No. 2016-27:** 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, 2017. **(Property Tax Levy for FY 16-17)**

Moved by Councilmember Scott Overton, **seconded by** Councilmember Karla Brewster to read Ordinance No. 2016-27 by title only for the first time.

Councilmember Evans said that one of the things they will be talking about later is how to come up with \$2 million. They have been holding the tax levy flat when they could have been increasing it each year, which would only amount to an extra \$3/year or so per property owner.

Management Services Director Rick Tadder said that they recently provided a CCR which showed the impacts in the current year of not taking the increase for the past five years. If they had increased the amount over those years, it would amount to about \$600,000, and impact a home valued at \$300,000 around \$74.

Councilmember Evans said that had they taken the increase every year, it would have been \$74 in total for a \$300,000-valued home and they would currently have an extra \$1.7 million to spend on things like park land or a public works yard.

Councilmember Overton said that he supported the \$264 million budget. They have done a good job. To him, the flat levy has been a positive -- he believed the citizens of Flagstaff deserved a break. Citizens have continued to support sales tax increases and bond issues. There are other ways to find funds when they need them. At some point they have to say "enough is enough."

Councilmember Putzova said that she disagreed. They are actually going to the voters and asking them to pass a bond initiative which will be a secondary property tax. She said that this is a political decision.

Moved by Councilmember Eva Putzova to amend the ordinance and increase the levy to the maximum allowed under the last.

Mr. Tadder said that to trigger an increase in the levy at this time, they would have to go through a Truth in Taxation process. That would take a process to have a public hearing, advertising, etc., and would not fit the confines for what the County needs of being notified by August 1.

Councilmember Evans said that she has been on Council since 2008. They have not taken this levy increase that last five years, but they have drastically increased service charges for Parks and Recreation, Library, Cemetery, etc.

Councilmember Putzova withdrew her motion and asked the City Manager to advise them on how they could increase the levy. Mr. Tadder noted that they do not have the time required to do so this year. Mayor Nabours said that they addressed this issue several months ago during the budget hearings.

Councilmember Oravits said that he does support the budget. There are things in there he does not like, but they have to consider that the budget is \$23 million greater than last year. He said that they did discuss the tax levy.

Councilmember Evans said that she supports the budget, but this is a tool that they were leaving on the table that they should be using. She said that she remembers them trying to have a conversation about this, but a majority of Council shut it down.

Vote: 4 - 3

NAY: Vice Mayor Celia Barotz
Councilmember Coral Evans
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, 2017

15. REGULAR AGENDA

A. Continuation of Council Discussion of Possible Disposition of Mogollon Property.

Public Works Director Andy Bertelsen introduced the item, noting that Stacey Brechler-Knaggs had done a lot of research on the grant issues that had been raised, and that was included in the packet. He then began the PowerPoint which addressed:

HISTORY OF PROJECT SCOPE AND COST ESTIMATES

Real Estate Manager Charity Lee reviewed an interactive map created by the GIS Department that showed how the property changed over the years.

OPTIONS FOR FUTURE OF MOGOLLON PROPERTY

AMEND AND SELL THE PROPERTY

Utilize the sale of the property to fund construction of the Core Services Maintenance Facility (CSMF)

Design/Build Agreement in place for preconstruction services of CSMF

If property is sold, needs are addressed

RETAIN THE PROPERTY

If choose to retain, gap in pro forma to fund new facility

Option requires seeking additional funding

**DEFER A DECISION AND DIRECT STAFF TO PURSUE ADDITIONAL INFORMATION
POTENTIAL FUNDING SOURCE OPTIONS FOR CSMF CONSTRUCTION**

Mr. Tadder then reviewed each of the options, attached hereto and made a part hereof as Exhibit A, noting that each one comes with unique pros and cons. He said that they were not asking for the Council to identify which ones they would like to see, but rather provide comments. He said that they came up with these over the last week and there may be others.

Vice Mayor Barotz said that there was nothing conclusive on the grant information.

Mr. Bertelsen said that they did receive funding in the 70's that included a vicinity map, but it was the entire map. He said that they have been working with the grant manager to see just the area of where the money was spent, or if it included the entire parcel.

Ms. Smith said that as Ms. Lee went through her research, there were no deed restrictions indicated. There was also a question posed on whether the bond election for 1922 for \$60,000 created some type of restrictions. The only restrictions they found were that the funds had to be expended on property for a park. Mr. Bertelsen said that portions have been sold off over the years and there was no charter or state law at that time that limited the

park.

FUTURE CONSIDERATIONS

Remediation of Mogollon site - \$180,000 to \$220,000 - Phase I and II environmental
have been done

Cost considerations for future use

Mr. Copley said that they do have a placeholder for the July 5 meeting where Council could give direction, if they are not ready to do that tonight. He said that the new facility construction/design is on time and has not been delayed. He said that they have additional time to address budgeting for that project if needed.

A break was held from 7:25 p.m. to 7:34 p.m.

The following individuals addressed the Council regarding this issue:

- Norm Killip
- Mike Cromer
- Constance Taylor
- Michael Collier
- Jim David
- Rose Houk
- Roable Johnson
- Thomas Drumm
- Don Perry
- Bill Ring
- Charlie Silver
- Joe Walka
- Susan Hueftle
- Karen Euyedy
- Lance Diskan

Comments received included:

- Attended the last Council meeting where this was discussed and complimented Council on the professional manner in which it was held
- Was inspired by the young girl that spoke
- Parks Department has developed a great park area; hope they see fit to use the seven acres for further parks
- Do need more fields
- His father served as Superintendent of Public Schools from 1947 to 1971 and was an extreme advocate for children
- They were not aware of the history of the property when the 2012 bond passed
- Cities across the country are increasing amenities such as parks, rivers, etc.
- Increases economic opportunities
- Should put together a committee
- Clark Homes were built under the war
- Legal precedence may need to be considered in decision to sell land
- Needs to be a balance
- Went to Picture Canyon. It was a terrible mess, and now he cannot believe what has happened out there
- Took a walk around Frances Short Pond - the road was closed and they completely rebuilt a park
- Regardless of bonds, the CSMF is Number 1 priority
- National Geographic had an article about urban parks and public spaces that have been

reclaimed from discarded parks of the City

- Now in place of those, they have streams, farmers markets, and they could transform the public works yard from brownfields to greenfields
- Time to make a decision
- Representing Flagstaff Junior Academy; they use the pond for STEM curriculum and the fields daily for recess
- Should consult park staff on their ideas of what they could do with the property
- Consider working with the stormwater department
- The Committee that formed the publicity pamphlet in 2012 did not have the information, and led them down a path that needlessly bound themselves to extra words
- There are 15 options on the table for closing the gap; they do not have to choose one--it could be a little from many
- The staff presentation showed that they have been slowly chipping away at the property over the years; is not in favor of continuing that
- Legislative bodies do not like to be told what they cannot do
- An elected body in Arizona cannot, by majority vote, taken an action which undoes a citizen-approved action; that may include a bond issue.
- Exposes them to proceedings and creates another divisive split between the Council and residents
- Frances Short Pond is a jewel
- Who would someone go to in the City to see a list of properties owned by the City (Vice Mayor Barotz noted that she had such a list and could provide it to her)
- He was struck by the lack of discussion on how the land use of the Mogollon property interacts with the Rio de Flag property
- Voters are watching

Written comments were also received from the following individuals, in support of keeping the property for park:

- Jean Johnson
- Mimi Murov
- Tom Brownold
- Kanre Enyedy
- Susan Hueftle
- Karen Mattingly
- Karen Glick
- Jare Mulrooney
- Eleanor Francis
- Victor Granade
- Jerry Johnson
- Sue Beard
- Janice K. Busco
- Lauren McKean
- Jean-Paul Labadie
- Mark Giesecke
- Linda Gieseche

Councilmember Putzova recommended that staff look at the list of alternative funding and come up with a proposal that would look at what is in the best interests for the City from a financial perspective, the least risky approach.

Councilmember Overton said that he appreciated the list of options. On the front page of the list, those are the least attractive to him. He would favor the real estate proceeds, internal borrowing on accelerator and settlement set aside. He agreed that staff could work up some combination.

Mayor Nabours said that he took those comments to mean that he was not interested in selling the property. Councilmember Overton concurred.

Councilmember Oravits said that he would also favor looking at the facility contingency fund.

Councilmember Brewster said that she did think there were some options there and they should put together a packet for funding.

Councilmember Evans said that in the past she teamed with Chuck Hammersley on the Parks and Recreation Commission, who works at NAU, trying to do a westside park. They had two of their classes work out designs of what parks could look like. That would be an opportunity of working with NAU.

Mr. Copley recapped the direction he was hearing--to revisit the funding needs in the budget process in the future.

Mayor Nabours said that this concluded this matter.

16. **DISCUSSION ITEMS**

None

17. **FUTURE AGENDA ITEM REQUESTS**

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

None

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

Councilmember Putzova requested a FAIR item to clean up issues that would close loopholes for the types of things discussed this evening.

Councilmember Evans said that she would like to get legal information re the preservation of other parks, i.e. Buffalo Park, on how it has been preserved, specifically that park, but also other parks in town.

19. **ADJOURNMENT**

The Regular Meeting of the Flagstaff City Council held June 21, 2016, adjourned at 8:26 p.m.

MAYOR

ATTEST:

CITY CLERK

CERTIFICATION

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 June 21, 2016. I further certify that the Meeting was duly called and held and that a quorum was present.

DATED this 5th day of July, 2016.

CITY CLERK