

MINUTES

COMBINED SPECIAL COUNCIL MEETING / WORK SESSION
TUESDAY, JULY 9, 2013
COUNCIL CHAMBERS
211 WEST ASPEN AVENUE
6:00 P.M.

1. Call to Order.

Mayor Nabours called the Flagstaff Combined Special City Council Meeting/Work Session of July 9, 2013, to order at 6:02 p.m.

2. Pledge of Allegiance.

The City Council and audience recited the Pledge of Allegiance.

3. Roll Call

Councilmembers present:

MAYOR NABOURS
COUNCILMEMBER BAROTZ
COUNCILMEMBER BREWSTER
COUNCILMEMBER ORAVITS
COUNCILMEMBER OVERTON

Councilmembers absent:

VICE MAYOR EVANS
COUNCILMEMBER WOODSON

Others present: City Manager Kevin Burke; City Attorney Michelle D'Andrea.

4. **Consideration and Adoption of Ordinance 2013-17:** An ordinance of the Mayor and Council of the City of Flagstaff, Arizona amending Title 3-10-001-0001, Planning Fees, Section 3-10-001-0002, Engineering Fees, and Section 3-10-001-0005, Recreation Fees; providing for a savings clause; and providing that all ordinances or any part of the Flagstaff City Code in conflict with the provisions of this ordinance shall be repealed upon the effective date of this ordinance.

Management Services Director Barbara Goodrich presented a PowerPoint Presentation regarding the FY2013 Revenue Increases.

- FY2013 REVENUE INCREASES
- FEE RECOVERY LEVELS
 - Level 1 – Direct cost only
 - Level 2 – Direct cost plus section admin
 - Level 3 – All of level 3 plus city administrative services
 - Level 4 – All of level 4 plus all other City section that provide any ancillary service/review

Planning Director Jim Cronk continued the presentation with information on proposed increases in planning fees.

City Engineer Rick Barrett continued the presentation with information on the proposed fees for the Materials Testing Lab.

Mr. Barrett indicated that there is currently no cost recovery of any kind for the Materials Testing Lab; without instituting fees for the service the City would no longer provide the testing. The testing would be put back on the client; currently the contractor is given no other option than for the City to do the testing. Staff has performed a comparison with the private sector testing facilities in town and the City cost to the customer is about 30% below the private sector.

Recreation Supervisor Shauna Fisher continued the presentation with information on the proposed fee increase for recreation.

Councilmember Barotz noted that even with the increase, the cost to put on a large event seemed very low when compared to other venues.

Revenue Director Andy Wagemaker continued the presentation with information on the water sales tax.

The reason for this tax is so the City stays in compliance with the Model City Tax Code.

Public Information Office Kimberly Ott continued the presentation with information on Cityscape. Ms. Ott offered that the City will attempt to place ads within Cityscape. The proposal is to hire someone on commission to sell camera ready ads for Cityscape. She stated that the next issue of Cityscape may be delayed as the process is worked through; there are already interested parties for advertising.

Ms. Goodrich finished the presentation with a summary of next steps. The ordinance can be read for the first time at this meeting with the second read coming at the Council meeting of July 16, 2013.

Mayor Nabours indicated that the fee increases at Jay Lively and the current status of the rink are two different issues but very much related. He asked City Manager Kevin Burke to give a status report and update on Jay Lively and the chiller repairs.

Mr. Burke reported that the ice rink is having difficulty with the primary chiller. The chiller is five plus years old and it is the only chiller used to make and maintain ice. The City has been in very serious financial times and the maintenance of this chiller has been deferred to preserve service. There was a proposal in this year's budget to install a new chiller for \$150,000 but that was rejected for other needed repairs. Funds have been reallocated to repair the existing compressor in the amount of \$60,000. The second step is to get the second chiller installed. Staff has been in negotiations with the vendor and installers and can get a minimal installation in the amount of \$75,000. While this is not a fix all it will repair one chiller and get the other one up and going with the remainder being addressed in the FY15 budget. BBB monies continue to grow and funding can potentially come from there next year.

Public Works Director Erik Solberg addressed Council and offered that Trane has located a new compressor in Chicago, it has been shipped and should be here in a week and then installed over two days. Estimated time to get everything up and running is August 27, 2013. This would include trying to get the second chiller modified and

installed.

Because the second chiller will be considered a backup it will support the first chiller only when needed. The unit comes with a heat exchanger and some other components that the system can operate without. The heat exchanger is what is needed for the full install; it helps to keep the overall operating costs down.

The following spoke against increased fees at Jay Lively:

Denny Lauritsen
Robert Gooch
Kevin Tye
Ken Lane
Bruce Grubbs
Makaya Perks
Lon Owen

Council inquired about the status of dasher board advertising. Deputy City Manager Jerene Watson indicated that an RFP is being drafted and should go out soon.

Council asked if the user fees collected at the rink are used only for the ice rink. Mr. Burke stated that the fees go into the general fund and the general fund pays for the operation and maintenance of the facility; it is not a direct one for one. If the ice rink was a standalone operation, it would not be able to pay for itself.

Ice Rink Manager Mike Abeyta offered that the rink generally operates at a 70% cost recovery.

Mayor Nabours moved to read Ordinance No. 2013-17 for the first time by title only; seconded; passed unanimously.

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF FLAGSTAFF, ARIZONA AMENDING TITLE 3-10-001-0001, PLANNING FEES, SECTION 3-10-001-0002, ENGINEERING FEES, AND SECTION 3-10-001-0005, RECREATION FEES; PROVIDING FOR A SAVINGS CLAUSE; AND PROVIDING THAT ALL ORDINANCES OR ANY PART OF THE FLAGSTAFF CITY CODE IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE SHALL BE REPEALED UPON THE EFFECTIVE DATE OF THIS ORDINANCE.

6. Adjournment

The Flagstaff Combined Special City Council meeting adjourned at 7:28 p.m.

WORK SESSION

1. Call to Order

Mayor Nabours called the Flagstaff Work Session of July 9, 2013, to order at 7:28 p.m.

2. Public Participation (*Non-Agenda Items Only*):

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.

The following individuals addressed Council with regard to repairing the chillers at the ice rink:

Natalie Choi
Kevin Tye
Rene Aurther
Abby Clayton
Kim Austin
Lon Owen
Maryanne Holland

A break was held from 7:42 p.m. to 7:54 p.m.

3. Preliminary Review of Draft Agenda for the July 16, 2013, City Council Meeting.*

** Public comment on draft agenda items may be taken under "Review of Draft Agenda Items" later in the meeting, at the discretion of the Mayor. Citizens wishing to speak on agenda items not specifically called out by the City Council for discussion under the second Review section may submit a speaker card for their items of interest to the recording clerk.*

Mayor Nabours requested information to be included on why a non-local engineering firm was selected for item 9B.

Mr. Burke reported that item 10C needs to be pulled from the agenda because the grant dollars will not be received until later this year.

Councilmember Oravits noted that item 14E is a hot button issue and requested that the item be moved up in the agenda closer to 6:00 p.m. for the public.

Mr. Burke offered clarification on the process for item 14E. The recommended action is to choose one of the three options. Once decided, the Council could do the first and second read on the same night if it has a unanimous vote of those present. If the Council does not want to do the first and second read on the same night the second read would be at the August 26th meeting.

4. Discussion of De-Icer and Tree Impacts.

Public Works Section Head Mike O'Connor presented a PowerPoint presentation on de-icer and tree impact.

Mr. O'Connor offered four different options for Council to consider:

- Option 1 – Continue current operations
- Option 2 – All cinder application
- Option 3 – Impact Analysis
- Option 4 – Reduce de-icer to major hills and target areas

Mayor Nabours stated that the staff summary mentioned the testing of surface water and asked for the findings of those tests. Environmental Program Manager Scott Donovan reported that the tests showed that there was sodium in the run-off from the surface water.

Council inquired about any analysis of damage to concrete and vehicles in town. Mr. O'Connor reported he learned that fly ash added to concrete minimizes the damage of salt and the concrete used in town is treated with fly ash. There has been no analysis of concrete damage or vehicle damage other than observing how the City's fleet responded to the application.

Mayor Nabours asked about the ADOT presentation that was done in 2007 and whether tree mortality had been discussed. Mr. O'Connor stated that ADOT did indicate that they had observed tree mortality with the use of de-icer.

There were questions about the cost savings with using de-icer over cinders. Mr. O'Connor indicated that there would be an increase to go back to cinders due to the need for additional funding for cleanup efforts but the overall saving affects many programs differently, savings in some higher costs in others.

Council expressed concern on the legality of a City operation causing damage to private property and the property owner bearing the cost of repair.

Councilmember Brewster voiced concern for the safety of the NAIPTA and FUSD buses.

Councilmember Barotz responded that in her conversations with NAIPTA, they would find a way to get the buses where they needed to go regardless of the direction Council takes with regard to de-icer or cinders.

The following individuals addressed Council in opposition of de-icer and support for cinders only:

- Robert Caskey
- Kay Doggett
- Nat White
- Peter Wainwright
- Anne Witthe
- Janice Ribelin
- Andy Fernandez
- Brad Garner

Mayor Nabours asked for the Police Department perspective on the use of de-icer. Officer Higgins stated that the Police Department will support whatever aids in public safety. Every option to address snow has hazards and positives. There are areas in town that de-icer makes sense and there are areas where cinders make sense.

Council discussed the need for more resources in the Street Section to increase cleanup efforts with street sweeping, drainage clean outs, etc.

Council also discussed the need for a good outreach campaign to get the word out about winter driving conditions and how the use of cinders vs. de-icer will impact how people drive.

The consensus of the Council is to return to an all cinder snow removal application.

5. Consider moving forward a preliminary design and cost estimate to construct the Rio de Flag Flood Control Project according to FEMA standards.

Mr. Burke addressed Council about the status of the Rio de Flag Flood Control Project. He stated that there was some movement recently on the Limited Re-evaluation Report; the bad news though is that the cost estimate has now risen to over \$100 million and continues to get larger at each turn. The intent of the preliminary design and cost estimate is to evaluate the pros and cons with moving away from the current plan. The estimates would allow the City to evaluate if it can manage the project on its own.

Council expressed concern about the message this action could send to the City's federal partners. There are some risks and the City needs to be prepared for the Army Corp of Engineers to walk away.

Council agreed to move forward with the preliminary design and cost estimates.

8. Review of Draft Agenda Items for the July 9, 2013, City Council Meeting.

None

9. Public Participation

Marcus Vispasian addressed the Council about many personal concerns.

10. Informational Items To/From Mayor, Council, and City Manager.

Councilmember Barotz thanked Rand Jenkins who put on a fabulous benefit concert last week with proceeds going to the Granite Mountain Hotshots.

Mayor Nabours thanked the Recreation Section for pulling together a number of things this last week.

Councilmember Overton reported that he and some other Councilmembers walked in the Fourth of July parade and that it was a fun event that was well attended. He also attended the fireworks event and although they had to go early because of the weather they were great. He thanked staff for all their hard work.

11. Adjournment

The Flagstaff City Council Work Session of July 9, 2013, adjourned at 9:51 p.m.

MAYOR

ATTEST:

CITY CLERK