

MINUTES

WORK SESSION
TUESDAY, JULY 8, 2014
COUNCIL CHAMBERS
211 WEST ASPEN AVENUE
6:00 P.M.

1. Call to Order

Mayor Nabours called the Flagstaff Work Session of July 8, 2014, to order at 6:07 p.m.

2. Pledge of Allegiance

The audience and City Council recited the Pledge of Allegiance.

3. Roll Call

Councilmembers present:

Councilmembers absent:

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

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

4. Preliminary Review of Draft Agenda for the July 15, 2014, 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.*

Councilmember Woodson asked about Item 9-C; he would like to know the gross purchase minus the trade in. Public Works Section Head Mike O'Connor stated that the total purchase is \$1.1 million before the trade in value. There is roughly half a million dollars in trade in value with the old equipment.

5. 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.

Deborah Harris addressed Council urging them to think carefully about the controversial issues that they get involved in prior to the issues coming before the Council for decisions.

6. Walnut Canyon Study Update

Sustainability Manager Nicole Woodman provided a PowerPoint presentation that covered the following:

- ▶ WALNUT CANYON STUDY AREA
- ▶ WALNUT CANYON STUDY PRESENTATION
- ▶ WALNUT CANYON STUDY BACKGROUND

Jennifer Hensiek with the Forest Service continued the presentation:

- ▶ SURFACE LAND OWNERSHIP
- ▶ OPTIONS DISTILLED FROM PUBLIC MEETINGS AND COMMENT PERIODS
- ▶ CONTINUED FOREST SERVICE MANAGEMENT: OPTION 1
- ▶ CONGRESSIONAL SPECIAL MANAGEMENT: OPTION 2
- ▶ CONGRESSIONAL RESTRICTION: OPTION 3

Councilmember Brewster asked if those with private property within the area would be allowed to sell or develop the property. Ms. Hensiek explained that private property was not addressed in the study but there is no reason that it could not be sold or developed. Councilmember Barotz added that private property rights will not be infringed upon by these options; people who own private property will continue to have access and all rights are maintained.

Utilities Director Brad Hill continued the presentation.

- ▶ EXISTING WATER UTILITY INFRASTRUCTURE
- ▶ LAKE MARY WATER TREATMENT PLANT AND WATERLINES
- ▶ WATER RIGHTS STIPULATION – 2001 SURFACE WATER
- ▶ WATER RIGHTS STIPULATION – 2001 GROUNDWATER

Mayor Nabours asked if there is concern that one of the options may have an adverse effect on utility infrastructure. Mr. Hill stated that it can already take several years to get anything done with the forest service and he is concerned to add any extra layers. He urged Council to consider not doing anything that might reduce or infringe upon existing water rights.

Comprehensive Planning Manager Sarah Dechter continued the presentation.

- ▶ STAFF REVIEW OF OPTION 1
- ▶ STAFF REVIEW OF OPTION 2
- ▶ ADDRESSING CONCERNS OF A SPECIAL DESIGNATION UNDER OPTION 2
- ▶ STAFF REVIEW OF OPTION 3

Councilmember Barotz asked if there were any examples of Option Three. Ms. Dechter stated that Option Three has been proposed in other areas but has never been enacted. Councilmember Barotz then asked if Ms. Hensiek could explain the main issues. Ms. Hensiek stated that the driving issues are resource protection, land disposal, and land exchange.

Councilmember Brewster asked the acreage of the Walnut Canyon Monument. Ms. Hensiek offered that the monument is approximately 3,600 acres. Councilmember Brewster inquired as to why the protection area is ten times larger than the actual monument. Ms. Hensiek explained that the Park Service created seven maps in early 2000 that demonstrated the various resources to be protected and when compiled together they make up the current study area.

Ms. Woodman continued the presentation.

▶ NEXT STEPS

The following individuals addressed Council in favor of Option Two:

- Tom Bean
- Ralph Baierlein
- Joe Richards
- Anthony Quintile
- Earle Hoyt
- Cathy Trotta
- Marilyn Weissman
- Tish Bogan-Ozman
- Kevin Dahl
- Alicyn Gitlin
- Jim McCarthy
- Julia Schwalenstocker

Comments received:

- A special land designation excites more stories and interest and the area would be designated on maps. This designation would be an advantage to Flagstaff.
- The community wants Congressional protection against loss of land and development.
- Tourist activities would be enhanced.
- Life and property could be affected by additional traffic and other unknown factors in the future.

- While in support of Option Two, unsure why the study area has grown to 30,000 acres. The area could be reduced and not endanger any of the goals being proposed.
- Want to make sure that there is continued access to the lands and trails. There is support for all continued uses of the area now, just do not want to see the access limited.
- Option Two offers the greatest protection of natural and cultural resources.
- Option Two is the best way to protect the resources within the study area.
- Option Two will protect the wildlife corridors throughout the study area.
- Keep all current uses available and protect the resources of the study area. Option Two would protect all current uses and protect the area around the monument.
- People will want to develop this land and the purpose of this is to lock the developers out. The area should remain open to current uses and also protect the resources.
- It is important to protect the land, resources and current uses.
- Option Two provides the best protection to the forest around Flagstaff. It is an area that the community has wanted to preserve.

The following individuals addressed Council in favor of keeping things the way they are:

- Craig McMullen
- Duree Shiew
- Joe Ray

Comments received:

- There has been a decline in hunting and angling and the cause of that decline has been well studied with loss of access being a big reason. Continued access to these lands is important as there is a large economic impact with these activities.
- Support the continuation of all currently lawful recreational activities.
- Concerned that access to continue grazing livestock will be affected.
- Further research should be done before making a decision on any option. Leave the area as it is now.

A break was held from 7:33 p.m. through 7:50 p.m.

Mr. Burke stated that the ability to expand recreational activities could be written in to any of the options. Ms. Hensiek stated that the activities could be discussed and recommended but ultimately would have to be approved. Additionally, the Congressional designation could reference the Forest Management Plan that is already in place for the area.

Mr. Burke asked the process for modifying the Forest Management Plan. Ms. Hensiek offered that the process to amend the plan would require an act of NEPA. The effects of the changes would be reviewed and a NEPA process would be needed to integrate a management plan or changes required by Congress. Mr. Burke asked if amendments to the plan can be brought forward by the public or just by the Forest Service. Ms. Hensiek explained that there can be suggestions from the public but the decision to initiate an amendment is that of the Forest Service.

Councilmember Oravits stated that there is a lot of concern about continued access to the area; he asked how it is guaranteed that the access will not change if option two is recommended. Ms. Dechter stated that access might change if impacts are seen with the natural and cultural resources but because there are a significant amount of access points into the study area the reduction of access in one area will not hinder access to the area overall.

Councilmember Barotz stated that Option Two provides the strongest protection against land exchange. Mr. Burke asked Alicyn Gitlin to return to the podium to explain the idea of supplemental legislation. Ms. Gitlin stated that if the study area was to be given a special designation that would not automatically preclude land trades unless it was specifically written that way. The legislation to create a national area is really dependent on how it is written. If the City wants to make sure that this is specifically an action to prohibit land trades the legislation would have to specifically say that.

Mayor Nabours suggested that a list be compiled of items to be carved out in Option Two. Councilmember Oravits expressed concern with making a list because items may be left out.

Councilmember Overton suggested a general support resolution to one of the options and weigh in on specifics as it is drafted.

Councilmember Woodson suggested a smaller area be Option Two with the larger surrounding area be Option One.

Councilmember Barotz stated that she supports the idea of a national conservation area and identify objectives.

Vice Mayor Evans stated that she would support the idea of a conservation area designated for the study area.

Councilmember Oravits voiced concern about the large area. There are a lot of issues with the travel management plan. There is a lot of concern about access. It is easy to say those are not going to be affected but that might change when it gets into the hands of Congress. He is in support of Option One.

Councilmember Brewster stated that she is in favor of Option Two but would like to see other options with regard to the size of the area.

Mayor Nabours stated that if the decision is based on the presented boundary line he would support Option One. He stated that land exchanges are not as easy as people think they are.

Councilmember Woodson stated that with a different footprint he would support Option Two. With no other options presented he does not want to make a specific choice based on the presented map.

Mr. Burke stated that a majority of Council is in support of Option Two with conditions. Staff will begin drafting a resolution that incorporates the conditions discussed.

7. Discussions on Draft Amendments to the Zoning Code, Division 10-50.100 (Sign Regulations)

Councilmember Barotz was excused from the meeting at 8:40 p.m.

Comprehensive Planning and Code Administrator Roger Eastman stated that staff is attempting to simplify standards for building mounted signs. Staff is trying to loosen the standards so that a business owner will have fewer restrictions on how signs are mounted on the buildings. Currently, there is debate on what to do with the signage related to a building entry; it has been suggested that there should be some signage at the door or primary elevation of the building.

It was asked if it is required to have signage on the entry door indicating the business. Some tenants do not want to have signage and are fine with suite numbers only. Mr. Eastman indicated that this proposal would require signage to be on the door.

Mayor Nabours stated that one of the complaints he has heard is the painting on the inside of glass and the cost associated with permitting that. Mr. Eastman stated that the business name, address, hours of operation and other informational items are included as an exempt sign, not needing a permit.

Councilmember Oravits asked about the clause that prohibits signs facing residential property and how that would work if the entry of the business is facing residential. Mr. Eastman suggested that staff look further into wording that in a way that excludes entry signs.

Mr. Eastman continued with the concept of a free standing sign replacement incentive of 50%.

Councilmember Woodson stated that there are some signs that need to be updated and if an option is given to business there may be a more positive response.

Councilmember Oravits stated that if the goal is to replace the signs, a 50% incentive may not be enough to create a great response.

The City Council agreed to the 50% incentive.

Mr. Eastman moved forward with discussion on freestanding signs. He stated that the type A signs would be increased to 40 square feet and the type B sign would be increased to 32 square feet.

The City Council agreed that staff is on the right track with the freestanding signs.

Mr. Eastman asked Council if they were comfortable with the update to the table on page seven. The Council agreed that the changes were acceptable.

Mr. Eastman moved forward to discuss temporary signs. It will be important to define temporary signs with a finite timeframe. The vertical banner would have to promote a

sale or special event for the business and would be limited to no more than ten consecutive days at a maximum of six times per calendar year.

Councilmember Oravits expressed concern with the enforcement of the policy. Mr. Eastman agreed and stated that staff is working through that and will report back to the Council at a later time.

Mr. Eastman explained that A frame signs may only be placed on the walkway in front of the store assuming that the sign placement maintains ADA requirements.

Councilmember Brewster asked if any signs would be allowed along the roadway. Mr. Eastman stated that no A frames would be allowed but vertical signs would be allowed based on the previously discussed parameters.

Councilmember Oravits stated that it is understandable in higher speed areas but suggested that temporary signs be allowed off the sidewalk for businesses within or near residential areas. Vice Mayor Evans stated in lieu of these signs businesses will have the ability to place a bigger monument sign to add more business names. By allowing a bigger sign and two monument signs it believed that the temporary signage will be reduced.

Mayor Nabours stated that he feels it would be better to allow businesses to decide what type of temporary signs to use understanding that only one sign per 150 feet of frontage.

Mr. Eastman moved on to the downtown area. What is suggested is that there are no A frames signs allowed in the downtown district. The alternative would be for a stanchion sign placed in the amenities area in front of the business. This would be a temporary sign that is limited to no more than ten consecutive days at a maximum of six times per calendar year. This would include the Southside neighborhood to Butler as well. Vice Mayor Evans suggested that the downtown district be defined specifically to avoid any misunderstanding.

Mr. Eastman discussed temporary event signs. The suggestion is for the City to establish structures that allow for community and nonprofit event signs. Five potential locations have been identified. The idea is to develop a structure that would allow a place for display banners at various identified locations. The structures would be placed at safe locations and intersections where people stop and can see the information. There would be no permits necessary for these areas and active enforcement would be a must. Staff is considering two banners at each structure. Additionally, the Beautification and Public Art Commission has agreed to fund the signs with BBB monies.

Mayor Nabours asked for the size limit on the signs that could be placed in the areas. Mr. Eastman stated that the banners could be up to three feet by six feet.

Councilmember Woodson suggested installing some temporary structures and experiment before moving forward with the permanent structure. He asked how the free spiritedness would be accommodated. Mr. Eastman explained that it will be education; it is consistently the same groups who put up these banners.

Vice Mayor Evans suggested adding a third board to each location because there are some months that many will not be able to hang signs with only two boards.

Mr. Eastman explained that there are a number of regulations that are being developed by staff for review by Council.

Mr. Eastman went on to discuss the placement of temporary banners to support NAU sports teams. The suggestion would be to include the signs under the exemption section of government agencies. Mayor Nabours stated that he is concerned about a complete exemption and suggested a possible time limit. Mr. Eastman stated that a time limit could be added along with other standards to determine the area, location and type of banners as well as other things that may arise. Mr. Burke offered that there may be a lot of push back on what constitutes a government entity. There are a lot of sub groups and it will be difficult to determine where they fall in terms of classification.

Charlie Odegaard addressed Council thanking them for their attention to the issue. He suggested that enforcement will be important but also education and information about the changes will be necessary.

Mr. Eastman added that staff is planning to develop a sign handbook that would be available with the new code for business owners to have. Letters will also be sent to all business owners explaining the changes and informing them of the resources available for further information.

8. Follow-up to the May 27, 2014 Council discussion on continued funding towards the Western Navajo Pipeline (WNP) & the North Central Arizona Water Supply Feasibility Study (NCAWSFS)

Utilities Director Brad Hill provided a PowerPoint presentation that covered the following:

- ▶ POLICY QUESTION
- ▶ ISSUES FOR FLAGSTAFF
- ▶ CPWAC PROPOSED FUNDING SCENARIO 2
- ▶ OPTIONS FOR COUNCIL CONSIDERATION: FLAGSTAFF TO TELL CPWAC THAT...

Councilmember Woodson asked if there was an opportunity to commit the \$30,000 subject to a commitment from the other parties to contribute. Councilmember Overton stated that the concern with that would be that it would be somewhat dated when things get going again.

The City Council is in support of Option One.

9. Review of Draft Agenda Items for the July 15, 2014, City Council Meeting.*

** Public comment on draft agenda items will be taken at this time, at the discretion of the Mayor.*

John Viktora addressed Council regarding texting while driving. He urged Council to strengthen the ordinance to make the use of all electronic devices prohibited while driving.

10. Public Participation

None

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

Vice Mayor Evans requested that the clock in the Council Chambers be fixed as it is no longer keeping correct time.

Councilmember Brewster reported that she had an enjoyable time at Kinsey Elementary School at the First Things First Pre-Kindergarten event.

Mr. Burke asked Deputy City Manager Jerene Watson to give a brief update on the significant rain event that occurred this evening. Ms. Watson stated that all agencies responded to reports of flooding caused by significant rain and hail. Ten families were displaced due to the flooding mainly within the neighborhoods of Swiss Manor and Silar Homes.

Mr. Burke stated that publicity pamphlet for the road repair tax will be sent to the Council for review the last week of July. If there are any comments, please get those in soon because the pamphlets have to be mailed the first week of August. The intent of the information is to try and stay outcome based and away from specific dollar amounts.

Mayor Nabours asked if the Councilmembers are able to put a statement in the publicity pamphlet. Ms. D'Andrea stated that she would like to research that briefly and provide direction to the Council in the near future.

12. Adjournment

The Flagstaff City Council Work Session of July 8, 2014, adjourned at 9:54 p.m.

MAYOR

ATTEST:

CITY CLERK