### **MINUTES**

WORK SESSION TUESDAY, MAY 14, 2013 COUNCIL CHAMBERS 211 WEST ASPEN AVENUE 6:00 P.M.

#### 1. Call to Order.

Mayor Nabours called the Work Session of May 14, 2013, to order at 6:09 p.m.

## 2. Pledge of Allegiance.

The City Council and audience recited the Pledge of Allegiance.

### 3. Roll Call

### Councilmembers present:

**Councilmembers absent:** 

MAYOR NABOURS
COUNCILMEMBER BAROTZ
COUNCILMEMBER BREWSTER
COUNCILMEMBER ORAVITS
COUNCILMEMBER OVERTON

VICE MAYOR EVANS
COUNCILMEMBER WOODSON

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

## 4. Public Participation (Non-Agenda Items Only):

Public Participation enables the public to address the council about items that <u>are not</u> 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.

### A. PRESENTATION OF CITIZENS HEROISM AWARDS

Mayor Nabours asked Chad Stiller, Chad Hett, Margo Neff, Wayne Anderson, and James Yates to come forward. He said that on Friday March 29 2013, this group of city employees was engaged in a workout at Francis Short Pond. While there they witnessed an extremely strong whirlwind engulf a woman, her child and another child in a baby stroller. The whirlwind pushed the baby stroller into the pond upside down. While two members entered the water and unbuckled the child from the stroller the others called 9-1-1 and helped to calm the lady. The prompt action of these individuals directly saved the life of the child.

The Mayor and Council, along with Fire Chief Iacona and Deputy Fire Chief Jerry Bills, thanked them and presented each of them with a plaque honoring their action.

Interim City Attorney Michelle D'Andrea addressed the Council to introduce, Bill Burke, the new City Prosecutor who comes to Flagstaff from the City of Mesa with 17 years experience.

Bill Burke addressed the Council and introduced himself, stating that he was excited to be in Flagstaff.

## 5. Preliminary Review of Draft Agenda for the May 21, 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.

Councilmember Overton requested clarification on item 10C, and whether the Council was approving a new lease or amending the current lease. Mr. Burke offered that the IGA that is being considered will incorporate the amendments and the new lease into one document.

# 6. Presentation on the Citizen Request Tracker (a.k.a. "Report a Concern") online tools.

David Sullivan, Management Intern, provided Council with a tutorial on how to use the Citizen Request Tracker (CRT) online. He said the web based tool went live in 2012. It allows for the submission of citizen concerns through the City's website, additionally the system tracks the concern and notifies the appropriate staff when concerns are received.

Mr. Sullivan then provided Council with a step by step tutorial on the CRT iphone app, noting that he same process can be submitted by using the app and the app can be downloaded for free from the iTunes web store.

Council asked that this tool be advertised on the website and in the next issue of CityScape.

## 7. 2013 Wildfire Update.

Deputy Chief Bills introduced Wildland Fire Manager Paul Summerfelt. Mr. Summerfelt provided a PowerPoint presentation that gives an overview of the City's wildfire preparedness.

Coconino County Emergency Manager Robert Rowley continued the presentation with information about the Emergency Operations Center. He also presented information on E928.org, which is a grant funded activity put together by KNAU and the Arizona Daily Sun that will be a central place for information. This website would allow for a central location for the public to access the most up to date information available concerning emergency issues in the area.

Police Lieutenant Frank Higgins continued the presentation with updates on the law enforcement of fire threat as well as an update on the Woods Watch program.

Mr. Burke offered that the flyovers that are being conducted are a great City/County partnership and have been influential in removing the fire threat out of the forests.

Fire staff member of Coconino National Forest Don Muise continued the presentation with information about tools and resources available to the area should a fire event occur as well as fire prevention strategies. He indicated that fire restrictions will most likely go into effect by next Wednesday that prohibit smoking in the forest and campfires outside of designated camping areas.

Beverly Loomis, resident, thanked the Forest service for the restrictions.

The following individuals addressed the Council about the need for a recurring, seasonal campfire and smoking restriction:

- •Luann Meek, resident
- Cam McCauly, resident
- •Steve Caulkins, County resident and President of Black Bill Park Neighborhood Association, representing 1100 homes in the Shultz fire area

Council asked about the criteria the Forest Service looks for with regard to fire restrictions. Mr. Muise offered that the Regional Forester has chosen not to go with a set date restriction as it comes with implications to both sides of the issue. They have relooked at the science of how we get to certain levels and partner that with the human side. Fire restrictions are just one tool and there are other tools that are as effective, campfires are not the only thing to cause wildfire.

Council asked about the trees throughout the community that are dying as a result of salt use in the winter. There is concern that this is a growing problem that fuels the fire risk. Council would like to discuss this issue further at a future meeting; possibly a joint meeting with the Department of Transportation as they are involved as well.

Mr. Summerfelt agreed that the trees are a growing problem and it is manifested at an increased rate in and outside the City. The City is in the process of identifying trees in town as a current or future threat and working with Public Works and others to develop a strategic plan to deal with the issue.

Council asked how the Forest Service analyzes when to remove the restrictions. Mr. Muise indicated that it is dependent upon adequate rain, well distributed and a continued trend as such. They also look at what is happening elsewhere in the country as that could impact the resources available if they do have a fire event.

A break was taken between 7:38 p.m. and 7:48 p.m.

# 8. Discussion of Possible Feeding of Wildlife Ordinance.

Mayor Nabours introduced Larry Phoenix, Arizona Game and Fish Field Supervisor, who presented a PowerPoint presentation on the merits of having a wildlife ordinance.

Council clarified that there is no violation until after being notified by an officer. Mr. Phoenix indicated that the intent is not to cite and fine people for feeding wildlife, it is more to educate people about the ramifications of doing so and to stop the blatant feeding. The ordinance would give Game and Fish tools to deal with those who chose not to comply; however, there has only been one citation issued in the state.

The following people spoke against the ordinance:

- Joe Farnsworth
- Dianne Jarvis
- Sophia Katz

The following people spoke in favor of the ordinance:

- Jake McCarthy
- Louis Diesel

A majority of Council agreed to move forward with the drafting of an ordinance. The draft ordinance will be forwarded to the City Attorney, Police Department and Municipal Court for review and then scheduled for a later work session for discussion.

Council would like to see the issue of game fences addressed in the ordinance as well as options in the penalty section that include some language that speaks to the intent of the process and a structure of penalties; other options besides onerous fines.

Council would also like to include the County in the discussion but independently of the ordinance, as this is an issue that affects them as well.

Councilmember Overton left the meeting at 8:52 p.m.

A break was taken between 8:52 p.m. and 8:57 p.m.

Mayor Nabours rearranged the order of the agenda, noting that item 11-A and 11-B will be discussed next, followed by item 10.

# 11. Review of Draft Agenda Items for the May 21, 2013 City Council Meeting.\*

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

- \*A. Consideration and Adoption of Resolution No. 2013-10: A resolution of the City Council of the City of Flagstaff, Arizona, declaring as a public record THOSE certain documents filed with the City Clerk entitled the "2012 International Family of Codes, and the 2013 Amendments to City Code, Title 4, Building Regulations, and the ICC A117.1 Accessible and Usable Buildings and Facilities Standard, 2009 Edition"; which includes the International Building Code 2012 Edition; International Residential Code, 2012 Edition; International Plumbing Code, 2012 Edition; International Mechanical Code, 2012 Edition; International Fuel Gas Code, 2012 Edition; International Existing Building Code, 2012 Edition; International Energy Code, 2012 Edition; ICC A117.1, Accessible and Usable Buildings and Facilities Standard, 2009 Edition; and providing for amendments, additions, and deletions thereto. (ITEM 10-E OF THE 5/21/2013 DRAFT AGENDA)
- \*B. Consideration and Adoption of Ordinance No. 2013-12: An ordinance of the City Council of the City of Flagstaff, Arizona, adopting the "2012 International Family of Codes, and the 2013 Amendments to City Code, Title 4, Building Regulations, and the ICC A117.1 Accessible and Usable Buildings and Facilities Standard, 2009 Edition" by reference and fixing the effective date thereof; repealing all sections of said code in conflict with this ordinance; preserving rights and duties that have already matured and proceedings that have already begun there under and providing penalties for the violation thereof. (ITEM 10-F OF THE 5/21/2013 DRAFT AGENDA)

Mike Scheu, Building Official, offered a PowerPoint presentation that gave a brief history of the building codes, how the amendments were created and the process and timeline to adopt them.

He said the purpose of the resolution is to adopt the code books and amendments as a public record. Adopting the ordinance is a separate matter.

Council is concerned about the availability of the documents. Some are hesitant to adopt an ordinance without first reviewing the documents. More time would be appreciated for review.

For purposes of insurance and flood ratings, the code and amendments must be adopted by July.

Council agreed to hear and consider the resolution at the next Council meeting with the review and possible first reading of the ordinance and public hearing on June 4, 2013. This would provide time to review the documents and if there are provisions, comments, or additional amendments they can be discussed at the public hearing.

Council asked staff to put together a chart that shows the 2012 code and the proposed amendments.

Mayor Nabours asked if the Flagstaff Chamber of Commerce was planning on weighing in on this. Mike Sistak indicated that the Flagstaff Chamber will review and provide comment.

Gabor Kofax, resident, addressed Council and asked them not to rush into anything and urged them to research Agenda 21 as it is more focused on issues of energy control.

# 9. Presentation on the City of Flagstaff's Procurement Code Manual.

Purchasing Director Rick Compau provided a PowerPoint presentation to Council about the proposed procurement manual.

Council decided that a Special Meeting would be a better forum for discussion of this item especially since three Councilmembers were not at the meeting. Council asked staff to isolate the policy questions from the entire manual for presentation at the special meeting.

### 10. Review of Boards and Commissions.

Mayor Nabours asked if Council would like to do this discussion as a special meeting. The intent is to look at each board and commission, what they do, how they are structured, etc.; this could take several hours.

Council agreed to hold a special meeting and have the staff liaison and chairperson of each board or commission present and prepared to tell the Council what they see as the role of their board or commission, and their operations and tasks.

## 12. Public Participation

None.

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

Councilmember Brewster announced that this coming Thursday evening United Way is celebrating their VITA program.

Councilmember Brewster reported that she will be attending a NAIPTA TAC meeting tomorrow with Councilmember Barotz.

Mr. Burke reminded Council about the upcoming special meeting on Monday, May 20, 2013, to continue discussion on the rezoning process.

Mr. Burke also reported that the Kite festival was well attended and a great event.

<ol><li>Adjournm</li></ol>	nent
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The	Work	Session	of	the	Flagstaff	City	Council	held	May	14,	2013,	adjourned	at
9:55	p.m.												

	MAYOR	
ATTEST:		
CITY CLERK		