

MINUTES

REGULAR COUNCIL MEETING
TUESDAY, JANUARY 15, 2013
COUNCIL CHAMBERS
211 WEST ASPEN AVENUE
4:00 P.M. AND 6:00 P.M.

1. **CALL TO ORDER**

Mayor Nabours called the meeting 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:

MAYOR NABOURS	COUNCILMEMBER ORAVITS
VICE MAYOR EVANS	COUNCILMEMBER OVERTON
COUNCILMEMBER BAROTZ	COUNCILMEMBER WOODSON (telephonically)
COUNCILMEMBER BREWSTER	

Others present: City Manager Kevin Burke; City Attorney Rosemary Rosales.

3. **PLEDGE OF ALLEGIANCE AND 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. **Approval of Minutes:** Regular City Council Meeting of December 18, 2012; Special City Council Meeting of January 4, 2013; Special City Council Meeting (Executive Session) of January 8, 2013; and the Work Session of January 8, 2013.

Councilmember Overton moved to approve [the minutes of the Regular City Council Meeting of December 18, 2012; Special City Council Meeting of January 4, 2013; Special City Council Meeting (Executive Session) of January 8, 2013; and the Work Session of January 8, 2013]; seconded by Councilmember Brewster; passed 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.

Lena Wallen, Flagstaff, voiced support for the many organizations mentioned in the recent Flagstaff Business News column, and urged the Council to continue their support. Mayor Nabours noted that these organizations would be discussed at a meeting for that purpose on February 4, 2013, at which time they could have a complete dialogue.

6. **PROCLAMATIONS AND RECOGNITIONS**

A. Recognition and Thank You to Code Compliance Volunteers

Zoning Administrator Roger Eastman introduced Tom Boughner, Code Compliance Manager, who gave a PowerPoint presentation on the projects that have been completed by the many volunteers of the City, and thanked them for all of their work.

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:** Planning and Zoning Commission.

Vice Mayor Evans moved to reappoint David Carpenter to the Planning and Zoning Commission, term to expire December 2015; seconded by Councilmember Barotz; motion passed by a majority with Vice Mayor Evans, and Councilmembers Barotz, Brewster and Overton in favor.

Mayor Nabours moved to appoint Steve Jackson to the Planning and Zoning Commission, term to expire December 2015; seconded by Councilmember Oravits; passed by a majority, with Mayor Nabours and Councilmembers Oravits, Overton and Woodson in favor.

Vice Mayor Evans moved to reappoint Tina Pfeiffer to the Planning and Zoning Commission, term to expire December 2015; seconded by Councilmember Brewster; passed by a majority with Vice Mayor Evans and Councilmembers Barotz, Brewster and Overton in favor.

B. Consideration of Appointments: Sustainability Commission.

Councilmember Overton stated that he had been able to contact Jan Kerata, applicant, and she indicated she had taken a new position and was no longer interested in being considered.

Councilmember Oravits moved to appoint Elisha Dorfsmith to the Sustainability Commission, term to expire October 2015; seconded by Councilmember Overton; passed by a majority with Mayor Nabours and Councilmembers Brewster, Oravits, Overton and Woodson in favor.

8. LIQUOR LICENSE PUBLIC HEARINGS

None submitted

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.

Councilmember Woodson requested that Item 9-G be removed as he needed to declare a conflict of interest on that item.

Councilmember Overton requested that Item 9-E be removed as well.

Councilmember Brewster moved to approve Consent Items 9-A, B, C, D, and F; seconded by Councilmember Overton; passed unanimously.

A. Consideration and Approval of Amendment to Contract: Amendment to add Water Infrastructure Finance Authority (WIFA) Federal Loan Provisions to Contract.

MOTION: Approve Contract Amendment One for the Water Resource Sustainability Study with AMEC Environment and Infrastructure, Inc.

- B. **Consideration and Approval of Amendment to Contract:** Amendment to add Water Infrastructure Finance Authority (WIFA) Federal Loan Provisions to Contract.

MOTION: Approve Contract Amendment One for project work related to the Navajo-Hopi Water Rights and Red Gap Ranch Settlement with Ballard Spahr

- C. **Consideration and Approval of Amendment to Contract:** Amendment to add Water Infrastructure Finance Authority (WIFA) Federal Loan Provisions to Contract.

MOTION: Approve Contract Amendment One for the Red Gap Ranch Pipeline Alignment Feasibility Study with Jacobs Engineering Group, Inc.

- D. **Consideration and Approval of Memorandum of Understanding that supports Stipulation (Civil No. 6417):** Consider renewing an expired cooperative agreement (Memorandum of Understanding [MOU] and Charter) between the City of Flagstaff, the United States Forest Service (USFS) and the National Park Service (NPS), that satisfies the Stipulation (Civil No. 6417) the City entered with the aforementioned parties in 2001.

MOTION: 1) Renew the MOU between the City of Flagstaff, USFS, and NPS; 2) renew the Charter as a document attached to the MOU; and 3) authorize the City Manager to execute the necessary documents

- F. **Consideration and Approval of Agreement:** Between the City of Flagstaff and the High Country Fire Rescue for dispatch services.

MOTION: Approve the agreement for dispatching services between the City of Flagstaff and the High Country Fire Rescue Fire Department.

- G. **Consideration and Approval of Consulting Contract:** Street Maintenance Program, Calendar Years 2013, 2014 & 2015

Councilmember Barotz moved to approve [the design services contract with Plateau Engineering, Inc., in the amount of \$189,990.88 with a contract time of 1090 days; change order authority in the amount of \$18,999 (10%) of the contract amount to cover potential costs associated with unanticipated items of work; and authorize the City Manager to execute the necessary documents]; seconded by Councilmember Brewster; passed 6-0 with Councilmember Woodson abstaining due to a conflict of interest.

- E. **Consideration and Approval of Agreements:** U.S. Forest Service - Coconino National Forest for Forest Bond #405 (*Flagstaff Watershed Protection Project*)

Paul Summerfelt, Flagstaff Fire Department, gave a PowerPoint presentation which reviewed the various documents:

- Memorandum of Understanding
- Cooperating Agency Status Agreement

- Master Participating Agreement

Councilmember Brewster moved to approve [the Memorandum of Understanding; the Master Participating Agreement; and the Memorandum of Understanding-Cooperating Agency Status Agreement]; seconded by Councilmember Overton; passed unanimously.

10. **ROUTINE ITEMS**

- A. **Consideration of Ordinance No. 2012-17:** Amending the official zoning map for a site of approximately 9.02 acres at 2400 North Gemini Drive from Rural Residential (RR to Research & Development (R&D) (conditional).

Brief discussion was held on the item; staff noted that a CCR would be provided to more clearly outline the \$150,000 cost of the design that had been previously referenced at the budget session.

Mayor Nabours moved to read Ordinance No. 2012-17 for the final time by title only; seconded by Councilmember Brewster; passed unanimously.

AN ORDINANCE AMENDING THE FLAGSTAFF ZONING MAP DESIGNATION OF APPROXIMATELY 9.02 ACRES OF REAL PROPERTY LOCATED AT 2400 NORTH GEMINII DRIVE FROM RR, RURAL RESIDENTIAL, TO R&D, RESEARCH AND DEVELOPMENT (CONDITIONAL)

Councilmember Overton moved to adopt Ordinance No. 2012-17; seconded by Councilmember Brewster; passed unanimously.

- B. **Consideration of Sale of City-owned Property:** Fire Station No. 7 (west of Milton, south of Butler) APN's 103-06-019, 103-06-017A, 103-06-018A, 103-06-003B consisting of a total of 1.52 acres; North San Francisco (abutting Switzer Canyon Wash, aka Elks Lodge Property, south of Horny Toad Rd) APN 110-03-001B 26.03 acres; Schultz Pass (east of Schultz Pass Road and north of Elden Lookout Rd) APN 300-47-004 20 acres; and Fire Station No. 2 (south of east First and west of North Second, adjacent to Joel Montalvo Park) APN 107-04-046 .47 acres.

Mayor Nabours said that discussion of the Schultz Pass and North San Francisco properties would be moved to the 6:00 p.m. meeting.

Brief discussion was held on the wording in the staff summary as to what the proceeds would be used for, as it said that the proceeds would be used for a new courthouse; Mayor Nabours noted that the wording had been changed to "may" be used for a courthouse. Some members did not want to tie the Council into using the proceeds for a courthouse (if other funds may become available), while others questioned why they would sell the property if it was not being used for a courthouse.

Fire Station No. 7

Up to \$250,000 would need to be used to offset that portion of the bonds used to build the new Fire Station; the balance would be discretionary.

Ms. Trompeter gave a brief presentation regarding the Fire Station properties. She noted that staff has considered retaining rights on the property for drainage. She said that various options had been considered on how to market the property.

Vice Mayor Evans asked if they would consider the Neighborhood Plan when and if they put the property out to bid. She said that the Plaza Vieja area has had a plan in the planning stages for two years. Ms. Trompeter said that if they were to move forward with the marketing, they would include a community outreach effort, speaking with different commissions and neighborhoods.

Mr. Burke said that the Charter requires that the Council approve of any property disposition. They could come back to the Council at any point in the process. Staff's preference would be to get direction up front, but at this point their main question was whether the Council was interested in selling the property.

Councilmember Oravits moved to proceed with putting together the sale of this property (Fire Station No. 7), with various options on the structure of the sale to come back to Council; seconded by Councilmember Brewster; passed 6-1 with Vice Mayor Evans casting the dissenting vote.

Fire Station No. 2

Councilmember Overton declared a conflict of interest as he was a neighboring property owner.

Vice Mayor Evans clarified that it was sale of the building, but not the park and baseball field. Ms. Trompeter replied that was correct; staff would be splitting the lot to accommodate just the sale of the building.

Vice Mayor Evans said that she would vote no on this as well because she thought they were selling the properties to fund a courthouse. Councilmember Barotz said that conceptually she believed these were the types of properties they should sell to get back on the tax rolls, but she was not clear with the process. Mayor Nabours noted that the process had yet to be determined; at this point staff was asking if they were interested in heading in the direction of selling it.

Councilmember Oravits moved to proceed with putting together the sale of this property (Fire Station No. 2), with various options on the structure of the sale to come back to Council; seconded by Councilmember Brewster; passed 5-1 with Vice Mayor Evans casting the dissenting vote and Councilmember Overton abstaining.

- C. **Consideration and Approval of Settlement for Injury Claim:** Heirs of Kyle R. Garcia, Deceased (Gabriel Garcia, father; Santino Garcia, son of Kyle, a minor through his guardians Leandro and Eleanor Carillo; Solome Garcia, daughter of Kyle, a minor through his legal guardians, Harold and Angela Trimble, for their wrongful death claims) versus the City of Flagstaff.

Mayor Nabours explained that there had been no finding of any wrongdoing on the part of the police officers; this was a compromise to avoid further litigation expenses, and the proceeds would be paid from the City's insurance company.

Mayor Nabours moved to confirm the settlement [between the City of Flagstaff and statutory beneficiaries of deceased Kyle R. Garcia. Listed beneficiaries are Santino Garcia, a minor child and his guardians; Leandro and Eleanor Carillo; Salome Garcia, a minor child, and her guardians: Harold and Angel Trimble, and Gabriel Garcia, father of the deceased]; seconded by Vice Mayor Evans; passed unanimously.

RECESS

The Flagstaff City Council Meeting recessed at 5:52 p.m.

6:00 P.M. MEETING

RECONVENE

Mayor Nabours reconvened the Council Meeting at 6:13 p.m., at which time members of Boy Scouts Troop 129 presented the colors and led the audience in the Pledge of Allegiance.

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 EVANS	COUNCILMEMBER ORAVITS
COUNCILMEMBER BAROTZ	COUNCILMEMBER OVERTON
COUNCILMEMBER BREWSTER	COUNCILMEMBER WOODSON (telephonically)

Others present: City Manager Kevin Burke; City Attorney Rosemary Rosales.

12. **PUBLIC HEARING ITEMS**

None submitted

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

Schultz Pass Property

Ms. Trompeter briefly reviewed the property, noting that it consisted of approximately 20 acres, located in Coconino County, and was zoned General. Under the Regional Plan the use was designated as Rural Open Space. Staff's intention was to retain FUTS trail easements; currently the property was vacant and a portion is used by the community for bikes and access into the forest.

Councilmember Barotz asked if anyone had shared any information with the Flagstaff Biking Organization, as it was her understanding that they had been having ongoing discussions about this property for awhile.

Ms. Trompeter said that she had not approached anyone, including commissions, as she first wanted to see if the Council had any interest in considering the sale of this property.

Mr. Burke noted that during the Budget Retreat last November, they had looked at a wide variety of properties that had competing needs for City purposes, but when they had discussed the courthouse, staff had been directed to move forward with disposition of properties for that purpose.

Ms. Trompeter said that if the Council was interested in moving forward, then staff would make contact with the various groups. Vice Mayor Evans asked if there was not a way to obtain input from the various commissions and public before deciding whether to move forward.

North San Francisco Property

Ms. Trompeter reviewed this property, noting that it consisted of approximately 26 acres, zoned single-family residential. The Regional Plan Land Use Map designates it as medium density residential. The property does have water and sewer to the property. She said that it was on a steep incline, so they were not sure how developable it would be. Mr. Cronk added that the southern portion, which is the flattest part of the property, has utilities and is the most developable. Further up it could be open space, but sometimes developers will buy more than the minimum needed so that they are able to meet other open space requirements.

The individuals listed below addressed the Council regarding the following concerns related to either one or both of the parcels:

- Did not first meet with interested commissions and/or public
- Conflicts with the goals of economic vitality, social inclusion and environmental protection
- Public uses property for access to Dry Lake Hill trail system (a lot of out of state license plates)
- One area where anyone in community can enjoy recreation at no cost

- Property includes base of Schultz Creek; full of water and game tank on property
- FUTS Trail easements need to be maintained
- History of both parcels needed for Council consideration
- Concerns with flooding potential and stormwater runoff
- Potential litigation expenses
- Parking concerns
- City has great trail system – this would impact
- Already a lot of pedestrian, bike and automobile traffic in area

- Jon Mason
- Moran Henn
- Joel Armstrong (spoke re both parcels)
- Anthony Quintile (Flagstaff Biking Organization) (spoke re both parcels)
- Mark Haughwout
- Nat White
- Kathryn Barrett
- Ken Lane (owner of Absolute Bikes)
- Rudy Preston
- Andy Fernandez
- Jerome Naleski
- Joel Dugdale
- Sharon Hester

Al White, speaking as Chairman of the Flagstaff Housing Authority, said that they were in the process of scheduling their first Strategic Plan Board Retreat to discuss development opportunities and this was one of the properties they were interested in. He requested that the Council not sell the property to raise funds for a new courthouse facility, and if that was not feasible, then to include affordable housing within the RFP. He said that they had also talked about the 4.4 acres next to Thorpe Park.

Mayor Nabours said that in the past there had been some discussion of possibly selling City property to use toward funding a courthouse. This was a starting point. Staff did not want to move forward with investigating any of these further if there was no interest on the part of Council.

Councilmember Barotz moved to remove the North San Francisco Street property off the list completely for any further consideration; seconded by Vice Mayor Evans; motion failed 2-5 with Vice Mayor Evans and Councilmember Barotz voting in favor.

(With regard to the North San Francisco Street property), Mayor Nabours moved to direct staff to provide information on: stormwater, input from the Open Space Commission and the Flagstaff Housing Authority; where the property stands in relation to the current Regional Plan and the proposed Regional Plan, adjacent parcels and whether they are private or government owned; and have Community Development give them some idea on what areas have slope limitations that are not developable, and what are developable, and what conditions could be placed on it for the FUTS trail, including easements and rights-of-way for trails; and also information be provided on the history of the property and have public input, including conversations with the people in that area; all to be brought back to the Council for a Work Session; seconded by Councilmember Oravits; motion passed

5-2 with Vice Mayor Evans and Councilmember Barotz casting the dissenting votes.

Councilmember Barotz moved to remove from consideration at this time the sale of the Schultz Pass property; seconded by Vice Mayor Evans; motion passed 4-3 with the following roll call vote:

Mayor Nabours	Yes
Vice Mayor Evans	Yes
Councilmember Barotz	Yes
Councilmember Brewster	No
Councilmember Oravits	No
Councilmember Overton	Yes
Councilmember Woodson	No

A break was held from 7:36 p.m. to 7:50 p.m.

14. **REGULAR AGENDA**

Mayor Nabours moved Item 14-A to be considered after 15-C.

15. **DISCUSSION ITEMS**

A. **Discussion Item:** Discussion to identify policy amendments to the Flagstaff Zoning Code.

Mayor Nabours explained that this had been placed on the agenda for Council to discuss and give direction to staff as to which items to move forward for further review by the Commission and Council as to the Flagstaff Zoning Code.

After brief discussion, **Mayor Nabours moved to forward all items, 1-60, forward, with the exception of #6 and #41; seconded by Councilmember Oravits.**

Vice Mayor Evans asked if they wanted to include #40 as well. Mr. Cronk explained that this change would reduce the reduction that they currently give. After this explanation, Vice Mayor Evans was fine with moving it forward as well.

Motion passed unanimously.

Item 6 – Review of the Zoning Text/Map Amendment Process

Councilmembers discussed the need to have further discussion and input on the Zoning Text/Map Amendment process and it was suggested that a separate workshop be scheduled, if it was Council's consensus to review this issue further.

Councilmember Brewster read a letter from Bill Calloway requesting that a fully-informed decision be made, that received everyone's input.

The following individuals addressed the Council in support of further discussion on the process:

- Rich Bowen, representing ECONA
- Mark Huey

The following individuals spoke against further discussion of the process, noting that it had gone through a prior public process to arrive at its current form:

- Norm Wallen
- Marilyn Weissman, representing Friends of Flagstaff's Future

Mayor Nabours clarified that all they would be voting on tonight was whether to hold further discussions on the process in the future, or to leave it as is, with no further consideration.

Vice Mayor Evans noted that the new Zoning Code has only been in place for the past eight months, and she understood the frustration of those that felt they had already been a part of the process review and were moving forward with the new Code.

After further discussion, **Mayor Nabours moved that Item 6, Review of the Zoning Text/Map Amendment Process, be reviewed for possible changes and that staff set up a roundtable meeting, leaving it to Community Development as to the specific members of the public to be invited, and that it be a question/answer roundtable rather than a meeting at the dais, and that no draft or proposed amendment be created yet, until they have complete input from the public and a consensus from Council to move something forward to the Planning and Zoning Commission; seconded by Councilmember Oravits.**

Councilmember Barotz said that she worked very hard to be part of the solution last time, and she believed they had not really given the new Code a fair chance. She would not support the motion to move forward, but would work in good faith to try and find a solution and ensure that the public interest is protected.

Councilmember Overton said that he would like to ensure that there are still no further obstacles with the process and that is why he would be supporting the discussion.

Motion passed 5-2 with the following roll call vote:

Vice Mayor Evans	No
Councilmemver Barotz	No
Councilmember Brewster	Yes
Councilmember Oravits	Yes
Councilmember Overton	Yes
Councilmember Woodson	Yes
Mayor Nabours	Yes

Item 41 – ADA Parking

Staff explained that if there was an existing parking lot that was being recoated and restriped, they would have to get a permit and provide a diagram to ensure that the appropriate number of ADA spaces was still being provided.

Al White further explained the issue of various-sized spaces needed to accommodate handicapped parking, and how businesses could actually lose a parking space if they were recoating their parking area.

Mr. Cronk said that staff was not prepared to address the specifics of this issue, but they could provide some various scenarios for further consideration.

Councilmember Oravits moved to have some of the questions answered, and include this item in the larger list to be reviewed further; seconded by Councilmember Brewster; motion passed 4-3 with the following roll call vote:

Councilmember Barotz	No
Councilmember Brewster	Yes
Councilmember Oravits	Yes
Councilmember Overton	No
Councilmember Woodson	Yes
Mayor Nabours	Yes
Vice Mayor Evans	No

Councilmember Barotz asked that the Disability Commission be involved in the discussion and have a voice.

- B. **Discussion Item:** Filling of vacancies on Regional Plan Citizens Advisory Committee (RPCAC)

It was noted that this item was placed on the agenda to determine if a majority of Councilmembers wished to consider additional appointments to the Regional Plan Citizens Advisory Committee.

Councilmember Oravits moved to add people to the RPCAC; motion died for lack of a second.

- C. **Discussion Item:** Petition filed by Rudy Preston and Kathleen Nelson re their complaint filed with the Arizona Department of Environmental Quality re the use of reclaimed water at Snowbowl

Rudy Preston and Katie Nelson, Flagstaff, addressed the Council and reviewed the complaint they had recently filed with the Arizona Department of Environmental Quality, and presented pictures of alleged violations to members of the Council.

Mayor Nabours moved to refer this issue to staff (Legal with input from Utilities) and provide Council with a report; seconded by Vice Mayor Evans.

Councilmember Brewster asked if someone had observed any of the alleged violations. Mr. Hill responded that staff has jointly gone up with ADEQ in December to evaluate compliance prior to the City delivering water, and they were in compliance at that time.

Motion passed unanimously.

- (14) A. **Consideration and Adoption of Ordinance No. 2013-01:** An ordinance amending Title 8, Public Ways and Property, Chapter 8-03, Streets and Public Ways, Section 8-03-001-0004, Removal of Snow and Ice, and declaring an emergency.

Tom Boughner, Code Compliance Manager, gave a PowerPoint presentation on the issues he has been addressing with snow removal, and stated that there are some businesses that wait until City staff notifies them that they have to remove the snow from their adjacent sidewalks, even though they already know that it is required.

Councilmembers discussed the need, and voiced concern with, adopting the ordinance with an emergency clause.

Vice Mayor Evans moved to read Ordinance No. 2013-01 for the first time by title only (with no emergency); seconded by Councilmember Barotz.

Uncle Don (Fanning) addressed the Council, voicing concern with requiring this of residential properties as well.

Mayor Nabours noted that he did see a difference between residential and commercial properties.

Brief discussion was held on the sidewalks within the ADOT rights-of-way, such as along Milton. Mr. Boughner said that even though ADOT moves the snow on those roads, the City has an IGA with them. Mr. O'Connor noted that even with the IGA with ADOT, they would plow the streets curb to curb, and enforce requirements in that area.

Tom Wyatt, representing the Flagstaff Lodging and Restaurant Association, addressed the Council asking if there was any way for ADOT or the City to let businesses know when they would be plowing so that the businesses didn't clear the sidewalks and then have the roads plowed right after that took place.

Vice Mayor Evans said that it was unfortunate that they had to adopt a new law for a group of people that are not following the current law.

Councilmember Barotz left the meeting at this time (9:45 p.m.).

Mr. O'Connor did explain that the City did have a list of those individuals that have handicapped placards and have contacted their department, so that staff can remove the berm within their driveways. It was also noted that there were some private volunteer groups that may assist with such efforts.

Motion passed 5-1 with Mayor Nabours casting the dissenting vote and Councilmember Barotz absent.

AN ORDINANCE AMENDING FLAGSTAFF CITY CODE TITLE 8, PUBLIC WAYS AND PROPERTY, CHAPTER 8-03, STREETS NAD PUBLIC WAYS, SECTION 8-03-001-0004, REMOVAL OF SNOW AND/OR ICE; AND DECLARING NA EMERGENCY.

- D. **Discussion Item**: Representation for City's lobbying trip to Washington D.C.

Discussion was on who would be interested in a trip to Washington D.C. for lobbying purposes. Staff noted that Councilmember Barotz would be back there for a NLC conference from March 9-13, and was willing to go earlier or stay later to join others, if they would like her to do so.

The following individuals indicated an interest in attending: Mayor Nabours; Councilmembers Brewster and Oravits, and they would attempt to align it with Councilmember Barotz's trip.

16. **PUBLIC PARTICIPATION**

None.

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

Councilmember Oravits reported that he had attended the opening of the 51st Legislature, having been invited by Brenda Barton. He had the opportunity to also sit down with Chester Crandell and Bob Thorpe.

Mayor Nabours reported that he also attended the above, and the one thing he noticed was that everybody likes, and is interested in, Flagstaff.

Vice Mayor Evans requested that when an item comes before Council that they first hear from staff, then the public, and then discuss among the Council.

Upon request by Mr. Burke, Councilmembers Brewster and Oravits agreed to serve as judges on Saturday, February 9, 2013, for the snowman-making contest.

18. **ADJOURNMENT**

The Regular Meeting of the Flagstaff City Council held on January 15, 2013, adjourned at 10:10 p.m.

MAYOR

ATTEST:

CITY CLERK

CERTIFICATION

ARIZONA)
) ss.
Coconino)

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 January 15, 2013. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 5th day of February, 2013.

CITY CLERK