

Minutes of the regular meeting of the Winslow City Council held on December 10, 2024 at 6:30 P.M. in the main hall of the Winslow Visitor's Center, 523 West Second Street, Winslow, Arizona.

MEMBERS PRESENT:

Mayor Cano, Councilmember Cake, Councilmember Crisp, Councilmember MacLean, Councilmember McKee, Councilmember Salazar, Councilmember Tafoya

MEMBERS ABSENT:

None

STAFF:

David Coolidge City Manager, Trish Stuhan City Attorney, Suzy Wetzel City Clerk, Daniel Hendrix Finance Director (via Zoom), Michael Duran Fire Chief, Ernie Cano Police Lieutenant, Jack Fitchett Economic Development Director (via Zoom), Jason Sanks Planning & Zoning Hearing Officer

Mayor Cano called the meeting to order. The Pledge was given and the Invocation was offered by Pastor Randy Therio of the Multiply Church. Roll call was taken and all members were present.

CALL TO THE PUBLIC

Raymond Lucero inquired about when campaign signs must be removed following an election. Mr. Lucero also spoke regarding a possible conflict of interest related to the Interim Police Chief and requested an update on the status of GLD and the Tradeport.

Jerry Begay referred to the special events ordinance that is on the agenda and stated that he objects to changing the 200-foot limit for amplified music. In response, Mayor Cano stated that public comments will be allowed during the discussion of the item.

Ann Schmidt approached the podium and received clarification that she would be allowed to speak during the special events ordinance discussion.

MAYOR AND COUNCILMEMBERS REPORTS

A. Current Events and Announcements

The following events and announcements were made under this item:

Councilmember MacLean

- Thanked both the Chamber for a fantastic Christmas Parade and city crews for clean-up following the parade

Councilmember Crisp

- Details of the karaoke pajama party sponsored by the Library on December 14th
- Online Master Gardeners Class information
- Residential Hall Holiday Bazaar on December 20th
- Rotary/St. Mary's food distribution on December 20th
- Borderland produce distribution information; also thanked the Fire Department for assistance with last month's event
- Final Farmers Market Holiday Bazaar on December 14th

Councilmember McKee

- Provided information for the Santa Train event on December 12th and placement of decorations along First Street through the end of the year
- Elks Children's Christmas Party on December 14th

B. Future Agenda Items

None.

SCHEDULED PRESENTATIONS AND PROCLAMATIONS**A. Presentation of Employee Service Awards**

The Human Resources Manager announced the employees who were receiving awards and presented them to those who were in attendance.

B. Proclamation – Celebrating 1230 AM KINO Radio's 62 Years of Broadcasting Excellence

After Mayor Cano read the proclamation, it was presented to Pat Engelhardt on behalf of KINO Radio.

C. Quarterly Northland Pioneer College (NPC) Report Which May Include Update on the 2025-2030 Strategic Planning Process, Spring 2025 Programs, Scholarship Opportunities and Little Colorado Campus Activities

After commenting on the proclamation honoring KINO Radio, Betsyann Wilson, Executive Director of NPC Friends & Family, provided information regarding the following items:

- Update regarding the Five-Year Strategic Plan process
- Hiring of Dr. Von Lawson as new NPC President
- Scholarships awarded and being offered for the 2025 Spring semester
- Details of local nursing graduates
- New courses being offered at NPC in 2025

In conclusion, Ms. Wilson wished the Council a Merry Christmas.

STATUS REPORTS

A. Verbal Status Report on Current City Activities by City Manager Which May Include Capital Project Updates and Upcoming City Programming

The City Manager reminded the Council and public that there will not be a Council meeting on December 24th.

The City Manager then provided detailed updates regarding the following capital projects and programs:

- Hayden Walton Ramadas
- Pocket Parks and 9/11 Park Renovations
- Downtown Restrooms using a train car donated by a local resident
- Grand Opening of the new library tentatively scheduled for February 8th
- APS Box Art Program
- Civilian Safety Courses
- Appliance Drop-off Program

At the conclusion of his report, the City Manager responded to questions from Mayor Cano regarding the Haydon Walton Ramadas project and the APS Box Art program.

B. Monthly Financial Report by Finance Director Which May Include Balances, Expenditures and Revenues in All Funds

The Finance Director highlighted information from his written report for the month of October including city wide revenues and expenditures and General Fund, HURF Fund and Enterprise Funds revenues and expenditures.

C. Quarterly Report by Fire Chief Which May Include Community Outreach Programs and Services

After explaining details of the certification process for the department's three new firefighters, the Fire Chief discussed his Community Risk Reduction (CRR) Division that is aimed at preventing and mitigating loss of life, property and resources associated with life safety, fire and disasters in the community.

The Fire Chief highlighted community outreach programs including fire and life safety education and also responded to a comment from Councilmember Crisp regarding the certification process.

D. Zoning Hearing Officer Status Report Regarding Conditional Use Permit Review for September – December 2024

The Planning & Zoning Hearing Officer provided a report covering the following CUP for September - December 2024:

1. Winslow Rodeo Grounds – Industrial Zone to allow an RV Park

The Planning & Zoning Hearing Officer advised the Council that staff will reach out as a courtesy to remind the applicant that a request for re-evaluation and approval for continued operation is required since the two-year approval period is expiring.

CONSENT CALENDAR

Motion: Moved by Councilmember Cake, seconded by Councilmember Crisp, to approve the Consent Calendar as presented. Motion passed unanimously with Mayor Cano and Councilmembers Cake, Crisp, MacLean, McKee, Salazar and Tafoya voting yes.

- A. Discussion and/or Action to Approve the Check Register**
- B. Discussion and/or Action to Approve Minutes of the City Council Regular Meeting of November 12, 2024 and the City Council Special Meeting of November 19, 2024**
- C. Discussion and/or Action to Reappoint Member to Airport Commission**
- D. Discussion and/or Action to Appointment Member to Arts Council**

- E. Discussion and/or Action to Approve Obligation of American Rescue Plan Act (ARPA) Funds**
- F. Discussion and/or Action to Approve Resolution No. 1962 Adopting Community Facilities Districts Policies and Procedures**
- G. Discussion and/or Action to Approve Ordinance No. 1419 Regarding Recreational Vehicle Code Changes 2024 Related to Parking and Storage of Travel Trailer, other Trailer, Motor Home, Watercraft and/or Recreational Vehicles**

COUNCIL CONSIDERATION AND POSSIBLE ACTION

- A. Discussion and/or Direction Regarding Recruitment Process for New Police Chief**

The City Attorney referred to the upcoming recruitment for a new police chief and stated that the recruitment, which will begin in January, will be conducted by the City Manager and the Human Resources Manager. The City Attorney also referred to the fact that since Winslow is a small community, there will be occasions when relatives work or serve together.

The City Attorney went on to explain that when a member of the Council has a relative that works for the city, there may be a conflict of interest and specifically discussed the relationship between the Mayor and Police Lieutenant Cano. The City Attorney confirmed that it will be necessary for the mayor to declare a conflict if Lieutenant Cano applies for the police chief position wherein she would refrain from participating or having any involvement in the process.

The City Attorney also clarified that per the City Code, the police chief is appointed by the City Manager and he will be directly involved with the recruitment process. The Code also stipulates that the Council approves appointment of the police chief.

In response to questions from the Council, the City Manager and the Human Resources Manager explained how the position will be advertised. At the request of Mayor Cano, the City Attorney provided information regarding how the public can review both the City Code and the Arizona Conflict of Interest Law.

- B. Discussion and/or Direction Regarding Possible Amendment to Chapter 12.12 – Special Events, of the Municipal Code**

Mayor Cano referred to the amendment to Section 12.12.030 of the City Code approved by the Council last year and discussed the impact that the restriction has on carnivals, specifically the change that states no amplified music is permitted within 200 feet of a residential district.

The following individuals spoke regarding the 200-foot limit and stated they are opposed to reducing the restriction due to the impact it would have on residential neighborhoods:

Helen Jane Pollard Jerry Begay Ann Schmidt

In response to a question from Councilmember Tafoya, the City Attorney clarified that the language in the Code gives the Council discretion to reduce the limit on a case by case basis. The City Attorney further clarified that if the Council elects to modify the Code, it would require an ordinance that would come back to the Council for approval which would provide an additional opportunity for public comment.

There was further discussion regarding the Special Events Review Board referenced in Chapter 12.12, Special Events, of the Code. Mayor Cano reiterated that the Code stipulates that no amplified sound shall begin before 9:00 a.m. nor extend beyond 10:00 p.m.

The Council agreed that it is not necessary to make any Code changes but briefly discussed the necessity to provide organizations with education related to the requirements set out in Chapter 12.12.

C. Discussion and/or Action Regarding Atlas Global Development Group, LLC's Proposal for a Winslow Commerce and Industrial Park Development related to the development of real property generally located South of the BNSF Rail Line, West of AZ-87, North of the Arizona State Prison Complex Winslow, and East of the Winslow Airport

1. Discussion Regarding Rezoning & Pre-Annexation Development Agreement

- a. ***Staff Presentation Regarding Rezoning Request: Request to Rezone Approximately 1479 Acres of Real Property for the "Winslow Commerce and Industrial Park", from Industrial Zoning District to PAD Planned Area Development District in Accordance with Chapter 17.50 of the Winslow City Code, and to Approve a Preliminary PAD Plan of Development for the Property***

The Planning and Zoning Hearing Officer provided information regarding Planned Area Developments (PAD), which is a zoning district in itself that is often based on other zoning. This particular rezoning request includes 1,479 acres of property, 1,200 of which was purchased from the City of Winslow, that is currently zoned Industrial (I) and indicates multiple subsections of Commerce Park and Industrial land use types.

The Planning and Zoning Hearing Officer discussed the process for the General Plan and Land Use Map Update and explained that the developers of the project, Atlas Global, prepared their PAD request to be in conformance with the land use designations. After discussing the land use designations in detail, the Planning and Zoning Hearing Officer provided additional information regarding design guidelines and development standards that were carefully drafted for the project.

The Planning and Zoning Hearing Officer commented on the fact that Atlas Global made revisions to the PAD request on multiple occasions based on comments from city staff. The Planning and Zoning Hearing Officer further commented on the condition placed in the Development Agreement to protect not only the quality of the city's water but also the aquifer in general.

The Planning and Zoning Hearing Officer explained that the PAD can be amended in the future to accommodate additional land that Atlas Global may acquire and stated that the zoning stays with the land. The Planning and Zoning Hearing Officer stated that the PAD was heard at the September 9th Zoning Hearing and approval was recommended to the City Council subject to the following conditions:

1. The Planned Area Development shall maintain general conformance with the exhibits provided by the applicant, as presented to the Zoning Hearing Officer at the September 9, 2024 public hearing.
2. The applicant shall submit a Final PAD application in conjunction with each phase of Development Review of the project. Per the project's associated Development

Agreement, the property zoning shall vest with the Preliminary PAD approval and subsequent amendments.

3. The developer shall construct all necessary utility and street infrastructure to service the project, subject to the terms outlined in the project's associated Development Plan and Development Agreement.

b. ***Staff Presentation Regarding Pre-Annexation Development Agreement: Consideration of terms for development***

The City Attorney provided a PowerPoint Presentation that provided a summary of Atlas Global's development agreement and preliminary plan. The presentation included information regarding the proposed development of a Commerce Park and Industrial Complex on property that consists of approximately 1,200 acres of vacant land near the airport. Additional county land would be annexed in for a total of approximately 1,384 acres. The PAD plan would apply to the annexed land.

The presentation also included the following PAD zoning considerations:

PAD ZONING CONSIDERATIONS: OVERVIEW

Planning Elements ~ What does Zoning Allow

- Regulation of the use of buildings/land for different classifications of property through the creation of different zoning districts with different regulations.
- Regulate height, setbacks, lots size, coverage, signs and parking, etc.
- Promote compatibility of adjacent uses.
- No right to have the zoning classification on property changed.
- This is an exercise of legislative powers.

Planning Elements ~ What is a PAD?

- Atlas Global is proposing a "planned area development" or "PAD" for the property to set

specific rules for future development. The developer first prepared a preliminary PAD which is before Council and, if approved, would come back to Council for approval of a final PAD.

- Zoning Hearing Officer Jason Sanks has reviewed the preliminary PAD, conducted a public hearing for comments and recommends approval.
- If approved, the preliminary PAD will vest zoning rights immediately – although no construction will occur until the final PAD is complete.
- The preliminary PAD establishes the rules of development and ensures compatibility of adjacent uses.
- The preliminary PAD is in the Council's packet for review. Along with the PAD, staff recommends approval of a development agreement.

The presentation also included an overview of the development agreement (DA) that contained the following information:

Introduction. Municipalities typically negotiate DAs when there is a rezoning application and there is the most discretion to approve or deny. The goal is to address permitted uses of property, density and intensity of uses, maximum height and size of proposed buildings, dedication of land for public purposes, phasing or time of construction, conditions and requirements for public infrastructure, financing of public infrastructure and annexation of property.

Effective Date. The Atlas Global DA will be effective once adopted by Council, signed and thirty days passes without legal challenge.

Term. The DA has a 25-year term with one automatic renewal of 25 years if any property remains undeveloped. This is a typical term for a project of this size.

Termination. The DA will terminate (1) at the end of the term; (2) if the property is assigned in whole or

part (city approval is required although it cannot be unreasonably withheld); or (3) upon sale of lots legally split or finally subdivided and individually leased for longer than a year or sold (if obligations met).

Additional overview of the DA included information related to:

Development Standards	PAD Amendments
Subdivision Design Standards	Phasing
Fire & Police Services	Development Rights
Offsite Advertising & Signage	Electricity
Building Process & City Fees	Open Space

The presentation also detailed how public infrastructure would be built out and paid for, mitigating risks, costs to the city, benefits for the city and next steps in the process.

The City Attorney concluded her presentation by referring to the development agreement that is included in the agenda packet and has been reviewed by various city staff members. The City Attorney also noted that additional language stating “and other AG Property” will be added to Recital D of the final agreement.

c. *Public Hearing Regarding Rezoning Request and Preliminary PAD:* All members of the public are invited to comment

i. Mayor to Open Public Hearing and take Comments

Mayor Cano opened the public hearing and there were no public comments.

ii. Mayor to Close Public Hearing

Mayor Cano closed the public hearing.

d. *Applicant Comments:* Atlas Global Development Group, LLC may present information to the Council regarding the Rezoning Request and Pre-Annexation Development Agreement and answer questions from the Council

Daniel Lupien of Atlas Global Development Group, LLC and who was joining the meeting via Zoom, thanked the residents of Winslow for their efforts and hard work to bring their project to this step in the process. Mr. Lupien also thanked city staff and the City Council.

Councilwoman McKee thanked members of Atlas Global for investing in and supporting the community.

2. Council Action Regarding Zoning Application & Development Agreement

a. Possible Action Regarding Resolution No. 1963 Approving a Pre-Annexation and Development Agreement

Motion: Moved by Councilmember MacLean, seconded by Councilmember Cake, to approve Resolution No. 1963 approving a pre-annexation and development agreement. Motion passed unanimously with Mayor Cano and Councilmembers Cake, Crisp, MacLean, McKee, Salazar and Tafoya voting yes.

Mayor Cano referred to the unanimous approval of the agreement and thanked everyone involved with the process over the last two years, including the residents of Coopertown and Southside who voiced their concerns to protect their neighborhoods.

b. Possible Action Regarding Ordinance No. 1424 Approving a Preliminary PAD Plan. If the preliminary PAD is approved, the City will vest the PAD zoning in accordance with City Code Section 17.50.050 although no development may occur until a final PAD is approved by the Council

Motion: Moved by Councilmember Cake, seconded by Councilmember Crisp, to approve Ordinance No. 1424. Motion passed unanimously with Mayor Cano and Councilmembers Cake, Crisp, MacLean, McKee, Salazar and Tafoya voting yes.

ADJOURNMENT

Motion: Moved by Councilmember Cake, seconded by Mayor Cano, to adjourn at 8:40 p.m. Motion passed unanimously with Mayor Cano and Councilmembers Cake, Crisp, MacLean, McKee, Salazar and Tafoya voting yes.

Mayor

Attest:

City Clerk

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the Winslow City Council held on December 10, 2024 at 6:30 P.M. I further certify that the meeting was duly called and that a quorum was present.

Dated this *14th* day of *January*, 2025.

Suzy Wetzel

City Clerk