

Minutes of the regular meeting of the Winslow City Council held on January 26, 2021 at 6:30 P.M. in the City Hall Conference Room, 21 Williamson Avenue, Winslow, Arizona. The Mayor and all members of the Council appeared via Zoom.

**MEMBERS PRESENT:**

Mayor Cano, Councilmember Boyd, Councilmember Cake, Councilmember Crisp, Councilmember Jackson, Councilmember MacLean

**MEMBERS ABSENT:**

Councilmember Nelson

**STAFF:**

John Barkley City Manager (via Zoom), Trish Stuhan City Attorney (via Zoom), Suzy Wetzel City Clerk, David Coolidge Assistant City Manager, Elias Jouen Finance Director (via Zoom), Tim Westover Public Works Director (via Zoom), James Hernandez Fire Chief (via Zoom), Ken Arend Police Chief (via Zoom), Kelleen Haney Police Office Manager (via Zoom)

Mayor Cano called the meeting to order. The Pledge was given and the Invocation was offered by Councilmember Boyd. Roll call was taken and Councilmember Nelson was absent. Motion: Moved by Councilmember Boyd, seconded by Councilmember Cake, to excuse the absent member. Motion passed unanimously with Mayor Cano and Councilmembers Boyd, Cake, Crisp, Jackson and MacLean voting yes.

**MAYOR AND COUNCILMEMBERS REPORTS**

**A. Current Events and Announcements**

Councilmember Crisp announced details for the community food distribution event scheduled for January 28<sup>th</sup>.

Mayor Cano recognized Winslow resident and original Harvey Girl Luz Delgadillo Moore, who recently celebrated her 99<sup>th</sup> birthday.

**B. Future Agenda Items**

Mayor Cano requested information on the costs that are incurred by the city to keep the 3B's Truck Stop open for truck parking and stated that she would like to have discussion regarding a Quarterly Award Program for community service organizations/groups on a future agenda.

Mayor Cano also requested that an executive session be scheduled to discuss on-going litigation matters.

### **SCHEDULED PRESENTATIONS**

#### **A. COVID-19 Update**

Christy Ross, Chief Quality Officer at Little Colorado Medical Center, provided information concerning the national, state and local trend of COVID-19. Ms. Ross discussed the graphs shown in the handout that was emailed to the Mayor & City Council and stated that Navajo County officials feel that the case numbers are beginning to trend downward. Ms. Ross also commented on the fact that symptoms vary from person to person and stated that the number of local deaths in December were from the outbreak at Campus of Care.

With regard to Little Colorado Medical Center (LCMC), Ms. Ross reported that the hospital census has been high but is now starting to trend down. Mr. Ross also reported that the clinic continues to offer COVID testing on a daily basis.

Kelly Joe, Outpatient Care Coordinator RN at LCMC, discussed the local vaccine distribution plan and provided information on how to make an appointment for a COVID vaccination. Ms. Joe responded to questions from Mayor Cano regarding whether or not certain occupations are included as essential workers in Tier 1B.

In closing, Ms. Ross asked citizens to please be patient when trying to get a vaccination appointment.

### **STATUS REPORTS**

#### **A. Verbal Status Report on Current City Activities by City Manager Including But Not Limited to Report on CARES Grant Funding**

The following reports were provided under the City Manager's Status Report:

The City Manager provided an overview of the information contained in the packet regarding the Coronavirus Aid, Relief and Economic Security (CARES) Act funding in the amount of \$1,072,064 that the city received due to the impact of COVID-19. The City Manager explained the impact that the virus had on the city's budget and stated that, per guidelines of the Act, the funds received were used specifically for first responders from July 1, 2020 through October 25, 2020.

Mayor Cano referred to her request for this report and stated that the information provided answered her questions and also questions that the public had on how the money was spent. Councilmember Jackson thanked staff for providing the report.

### **CONSENT CALENDAR**

Mayor Cano requested that Items A & D be pulled for discussion and Councilmember Crisp requested that Items E & F be pulled for discussion. Motion: Moved by Councilmember Cake, seconded by Councilmember Jackson, to approve the Consent Calendar minus Items A, D, E & F. Motion passed unanimously with Mayor Cano and Councilmembers Boyd, Cake, Crisp, Jackson and MacLean voting yes.

#### **A. Check Register**

The Finance Director referred to the information contained on the check register and asked the Council if there were specific questions that he could answer. After Mayor Cano stated that a citizen had raised the issue of transparency and accountability regarding the city's finances, there was a brief discussion regarding the fact that the check register is available on the city website for viewing by the public.

Motion: Moved by Councilmember Jackson, seconded by Councilmember Cake, to approve the check register. Motion passed unanimously with Mayor Cano and Councilmembers Boyd, Cake, Crisp, Jackson and MacLean voting yes.

#### **B. Minutes – City Council Regular Meeting – January 12, 2021**

#### **C. Professional Services Agreement with Pacific Advanced Civil Engineering, Inc. for Engineering Design Services to Update Wastewater Treatment Plant Ultraviolet Disinfection System**

#### **D. Discussion and Possible Action Regarding Ordinance No. 1358 Authorizing the Sale of Certain Real Property Located Within the Airport Industrial Park North of the Dyke and West of South Highway 87, Winslow, Arizona, and Identified as Navajo County Assessor Parcel No. 103-18-006A, to Cavan Realty**

The City Manager explained that the city has received an offer from Cavan Realty to purchase 187 acres of city-owned property located south of Airport Road and west of State Route 87 for a purchase price of \$187,000. The City Manager further explained that this property was previously designated as a future rodeo ground site, however there are several other options that could be considered for that purpose. The

City Manager stated that the Purchase Agreement includes a commitment to build a planned unit development that would include either single family homes, condos, townhomes, apartments, bungalow style detached rental units or smaller units as determined by a future housing study. The City Manager further stated that he is recommending approval of the ordinance authorizing the sale of the property.

Mayor Cano stated that she would be more inclined to approve the ordinance if there were more of a commitment that included a Master Plan and a construction schedule. The City Manager stated that the sale of the property could be approved contingent on submittal of a Master Plan and there was further discussion regarding other stipulations that could be negotiated into the agreement. The City Attorney clarified that the ordinance authorizes the sale of property and the actual Real Estate Agreement can be further discussed with the buyer based on direction from the Council on what they would like to have included.

Motion: Moved by Councilmember Boyd, seconded by Councilmember Cake, to approve Ordinance No. 1358 authorizing the sale of certain real property located within the Airport Industrial Park north of the dyke and west of South Highway 87 and direct the City Manager and City Attorney to prepare stipulations for the Purchase Agreement. Motion passed unanimously with Mayor Cano and Councilmembers Boyd, Cake, Crisp, Jackson and MacLean voting yes.

**E. Resolution No. 1861 Approving an Equipment Lease Purchase Agreement with First Capital Equipment Leasing Corporation for Financing of Public Works Equipment, a New Fire Truck and One Police Vehicle**

The Finance Director explained the RFP process for obtaining proposals from finance institutions to lease purchase various pieces of equipment and stated that this is a ten-year lease with an annual payment of \$242,653 at an interest rate of 2.315%. The Finance Director stated that this agreement secures the financing but the actual purchases will be brought back to the Council for approval per the City's Procurement Policy.

The Finance Director responded to a question from Councilmember Crisp regarding the insurance reimbursement for the loss of the police vehicle. Councilmember Crisp referred to financing for the forklift, the solar message board and the F-550 and stated that those items were not included in budget discussions or the approved capital improvements budget. In response to Councilmember Crisp's comments, the Finance Director referred to the budget process and stated that these items were

included in the budget requests for FY 20/21, however they were not included in the budget but instead were prioritized and included in the Lease Purchase Agreement.

The Finance Director responded to further questions from the Council regarding the agreement and the Public Works Director responded to questions from Councilmember Crisp regarding purchase of the backhoe loader and rear dump trailer. The Finance Director also stated that the agreement package contains a legal opinion from the city's Bond Counsel.

Motion: Moved by Councilmember Jackson, seconded by Councilmember MacLean, to approve Resolution No. 1861 approving an Equipment Lease Purchase Agreement with First Capital Equipment Leasing Corporation. Motion passed with Councilmembers Boyd, Cake, Jackson and MacLean voting yes and Mayor Cano and Councilmember Crisp voting no.

**F. Cooperative Purchasing Agreement with Caterpillar, Inc. for Purchase of 2021 Backhoe Loader**

After the Public Works Director explained that this backhoe loader is for the Water Department, Councilmember Crisp made a motion to approve the Cooperative Purchase Agreement with Caterpillar, Inc. for the 2021 backhoe loader. The motion was seconded by Councilmember Cake and passed unanimously with Mayor Cano and Councilmembers Boyd, Cake, Crisp, Jackson and MacLean voting yes.

**COUNCIL CONSIDERATION AND POSSIBLE ACTION**

**A. Discussion and Possible Action Regarding Agreement with Mountain Fresh Cleaning for City Janitorial Services**

The City Manager stated that this item is not being presented for action by the Council since staff is taking another look at how to best proceed with city janitorial services. Mayor Cano stated that she was recently made aware of a new cleaning service starting up in Winslow that staff may want to consider utilizing for this service.

**B. Discussion and Possible Action Regarding Personnel Policies & Procedures Manual, Including Compensation Study, Employee Salaries and Employee Organizational Chart**

The City Manager referred to the Compensation Study that was conducted in 2019 and stated that there will be detailed discussion regarding the study during the budget process. With regard to the

Organizational Charts that were included in the packet, Mayor Cano stated that an Economic Development Director was not included and she would like for that position to be a priority moving forward. Mayor Cano commented on the salary scale and stated that she would like to address the discrepancies in pay for lower level staff during budget discussions.

Mayor Cano referred to various sections in the City Charter that discuss the duties and powers of the Mayor and Council as well as those of the City Manager and stated that, based on the charter, there needs to be better communication between the Council and the administration. Mayor Cano then referred to the first page of the Policies & Procedures Manual after the Table of Contents and stated that she feels that it should include language indicating that the City Manager's authority should include "under the guidance of the City Council" since they will be approving the policies.

The City Attorney provided information regarding the responsibilities that fall on the City Manager and clarified that the language can be changed based on direction from the Mayor and Council. Mayor Cano stated that there are several parts of the policy that do not adhere to the Charter, specifically that the City Manager and the Human Resources Director can create new positions and determine salaries for those positions, as well as promotions within the organization. Mayor Cano also commented on the fact that there is no recourse for an employee if there is an opposing opinion with the HR Director and the City Manager.

Councilmember Boyd expressed concern of walking a fine line between the Mayor and Council as policy makers and the administration. Councilmember Boyd stated that the City Manager is hired to perform certain tasks and the Council needs to be careful not to overstep their bounds and dictate how employees should be handled. Mayor Cano reiterated that there is not protection for decisions made by upper administration.

The City Attorney stated that there are grievance and appeal procedures in place to provide for due process but if the Mayor and Council feel that they are unbiased, she can provide detailed information in a memo or during an executive session regarding the steps involved with those procedures.

Councilmember Jackson stated that he is in agreement with Councilmember Boyd regarding not overstepping the bounds as policy makers. Councilmember Cake stated that he agrees that the City Manager should not be micromanaged but feels that grievance

procedures should be in place. Mayor Cano stated that she will work with the City Attorney to review and discuss her concerns regarding the manual.

The City Attorney provided information regarding the due process policy and grievance procedures that are currently in place. The City Attorney also stated that those policies and procedures can be reviewed by the Mayor and Council.

Councilmember Crisp stated that this goes along with having better communication and transparency between the Council and the administration. The City Attorney stated that information regarding Notice of Claims, EEOC claims and litigation status can be provided in an executive session but cautioned the Council to not discuss EEOC complaints with an employee due to liability issues.

In response to a question from Councilmember Crisp, the City Manager stated that he believes that the last salary study was done ten years ago.

**ADJOURNMENT**

Motion: Moved by Councilmember Cake, seconded by Councilmember Boyd, to adjourn at 8:15 p.m. Motion passed unanimously with Mayor Cano and Councilmembers Boyd, Cake, Crisp, Jackson and MacLean 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 January 26, 2021 at 6:30 P.M. I further certify that the meeting was duly called and that a quorum was present.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
City Clerk