

Minutes of the regular meeting and executive session of the Winslow City Council held on October 25, 2022, 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 Boyd, Councilmember Cake, Councilmember Crisp (via Zoom), Councilmember Jackson (via Zoom), Councilmember MacLean, Councilmember Nelson

MEMBERS ABSENT:

None

STAFF:

David Coolidge City Manager, Trish Stuhan City Attorney, Suzy Wetzel City Clerk, Margaret Dyer Finance Director, Tim Westover Public Works Director, Ken Arend Police Chief, James Hernandez Fire Chief, Brandee Leary Librarian, Una Wirkebau Economic Development Consultant, Jason Sanks Zoning Hearing Officer

Mayor Cano called the meeting to order. The Pledge was given and the Invocation was offered by Mayor Cano. Roll call was taken and all members were present.

CALL TO THE PUBLIC

Julia Sells referred to the presentation from Atlas Global that is included on the agenda and wondered if this is the time to ask questions regarding infrastructure improvements and the type of industry that is being planned.

Paula Leppin stated that she owns property on Papago that borders the proposed land acquisition and introduced her attorney, Raandi Morales, who was attending via Zoom. Ms. Morales spoke but due to technical issues, her comments were unintelligible. After the City Attorney addressed Ms. Morales regarding the technical issue, the Zoning Hearing Officer stated that comments related to an item on the agenda should take place during discussion of that item.

Alice Kenkman inquired about the feral cat problem that she addressed at a previous meeting and spoke regarding how city personnel responds to dog complaints.

Daniel Tafoya thanked the city for allowing a piece of his artwork to be displayed at the Standin' on the Corner Park and commented on how smooth the process went. As the High School Agriculture Instructor, Mr. Tafoya also

thanked the city for allowing his students to be involved with various city projects.

At the conclusion of Call to the Public, Mayor Cano provided the following comments:

- With regard to Ms. Sells and Ms. Leppin's comments, Mayor Cano stated that questions will be entertained during the presentation by Atlas Global.
- Mayor Cano requested that staff set up a meeting with Ms. Kenkman to discuss her issues. The City Attorney reminded the Council that direction can be given to staff but the item is not on the agenda for discussion.
- Mayor Cano thanked Mr. Tafoya for being engaged with the city on both a professional and personal level.

MAYOR AND COUNCILMEMBERS REPORTS

A. Current Events and Announcements

Mayor Cano provided details for the Halloween Parade in the Park on October 28th and announced that the Historic Preservation Commission was successful in getting the Airport Hangar on the National Historic Register.

Councilmember Nelson announced the Rotary food distribution event scheduled for Thursday, October 27th and the Trunk or Treat events scheduled for Monday, October 31st.

Councilmember Crisp announced details of the Friends of the Library Book Sale scheduled for November 3rd - November 5th.

Mayor Cano provided information regarding the Annual Christmas Parade on November 19th and the lighting ceremony for the new 24-foot Christmas tree that evening.

B. Future Agenda Items

Mayor Cano requested that regular updates from the city's boards and commissions be provided to the Council beginning with the Historic Preservation Commission.

SCHEDULED PRESENTATIONS AND PROCLAMATIONS

A. Presentation of Employee Service Awards

Employee Service Awards were presented to those city employees who were in attendance.

B. Proclamation – Proclaiming October as Domestic Violence Awareness Month

After Mayor Cano read the proclamation, it was presented to Greg Hackler and Theresa Warren on behalf of Alice’s Place.

C. Proclamation – Proclaiming November 1, 2022 as Extra Mile Day

Councilmember Boyd read the proclamation.

D. Proclamation – Proclaiming November as Native American Heritage Month

After Councilmember Nelson read the proclamation, it was presented to Winslow Unified School District Superintendent Connie Gover and Denise Estudillo, Federal Program Director. Ms. Estudillo extended appreciation to the Mayor & Council and stated that scheduled events will be advertised and posted on the School District’s website and Facebook page.

Following the presentation of the proclamation, the Standing Horse Dance Group performed a Native American dance.

E. Presentation from Clear Creek Cowboy Association to Provide an Update Regarding Their Past and Future Activities

David Ramos provided a background of the Clear Creek Cowboys Association that was established to share the spirit of the west and give back to the community. Mr. Ramos commented on past events that the Association has been involved with, as well as upcoming activities planned, including a Pony Express Ride.

After Tim Kelley provided information regarding their work at the Navajo County Fair Grounds, additional members of the Association spoke regarding their Inaugural Pony Express Ride that took place due to the desire of the late Walter Pacheco who wanted to include Winslow in the event. Mr. Kelley stated that all future rides will be held in honor of Mr. Pacheco. Appreciation plaques were then presented to staff and other community members who were in attendance.

F. Quarterly Chamber Report Which May Include Visitor Center Statistics, Bed Tax Financial Information and Past/Future Event Updates

Bob Hall, Executive Director of the Chamber of Commerce, provided his report for the period July – September 2022 that included the number of visitors for the period, the number of travel and relocation packs distributed, the number of brochures printed and distributed both locally and to other Arizona visitor centers, website hits totaling 28,624 and tourism related emails received.

After noting that the room at the Visitor’s Center was reserved a total of 53 times from July – September, Mr. Hall discussed the income and expenses for the reporting period. In closing, Mr. Hall encouraged participants who want to be part of the 75th Christmas Parade to either pick up an application or complete one on-line.

STATUS REPORTS

A. Verbal Status Report on Current City Activities by City Manager Which May Include Parks & Recreation Projects and Downtown Parking

After providing information regarding the new 24-foot Christmas Tree for Route 66 Plaza, the City Manager announced that a tentative dedication for the Diamondbacks Field is scheduled for November 18th.

The City Manager then provided the following:

- Update on Parks & Recreation projects including installation of shade structures at the outdoor pool, completion and grand opening of the Fitness Park, installation of racquetball court mesh, phase 2 improvements to the Hayden Walton complex and event lighting at the Route 66 Plaza
- Update on Animal Control Operations including hiring of four part-time shelter attendants, operational changes and purchase of shade structures
- Information regarding downtown parking options including addition of diagonal parking on the south side of First Street between Kinsley & Winslow Avenue

B. Monthly Financial Report by Finance Director Which May Include Balances, Expenditures and Revenues in All Funds and Various Sales Tax Comparisons by Category

After discussing the transition to a new software accounting system, the Finance Director stated that her department is now fully staffed with the recent hiring of a Financial Analyst. The Finance Director then discussed the balances, expenditures and revenues for the month of September as shown in her report and highlighted various City Sales Tax revenues for this year's first quarter in comparison to the first quarter of 2021.

C. Quarterly Report from Librarian Which May Include Information Regarding Statistical Information, Past Events and Announcements for Upcoming Events

The Librarian referred to the statistical information included in the packet and stated that this information must be submitted to the State on an annual basis. The Librarian discussed the following statistics in detail:

- Average number of patrons by hour and day
- Total visits by month
- Circulation information (juvenile, adult, young adult, audio books, videos & DVD and paperback exchange)
- Computer usage and programs & attendance
- Google stats (asked for directions, website visits and phone calls)

The Librarian also provided information regarding a grant that was received for a mobile kitchen (referred to as a Charlie Cart) and announced that the Assistant Librarian has received her Arizona Library Support Staff Certification. In closing, the Librarian announced dates and times for the Friends of the Library Book Sale.

CONSENT CALENDAR

Mayor Cano requested that Item B be pulled for discussion. Motion: Moved by Councilmember Cake, seconded by Councilmember Boyd, to approve the Consent Calendar minus Item B. Motion passed unanimously with Mayor Cano and Councilmembers Boyd, Cake, Crisp, Jackson, MacLean and Nelson 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 & Executive Session of September 13, 2022, Special Meetings & Executive Sessions of September 13, 2022, Work Session of September 27, 2022 and Regular Meeting & Executive Session of September 27, 2022**

After stating that the September 13th Special Meetings & Executive Sessions should read September 16th, Councilmember Cake made a motion to approve Item B. The motion was seconded by Councilmember MacLean and passed unanimously with Mayor Cano and Councilmembers Boyd, Cake, Crisp, Jackson, MacLean and Nelson voting yes.

- C. Discussion and/or Action to Accept FY 2022 Homeland Security Grant**
- D. Discussion and/or Action to Approve Intergovernmental Agreement between the City of Winslow and Navajo County for Animal Impoundment Services**
- E. Discussion and/or Action Regarding Resolution No. 1905 to Approve a Property Split for Real Property Identified as Navajo County Assessor's Parcel No. 103-22-099N, Lot 2R, Located on the East Side of North Park Drive, North of the Maverik Convenience Store**
- F. Discussion and/or Action to Approve Resolution No. 1906 Authorizing the Finance Director and the Financial Analyst to Open a Safekeeping Account, Invest City Funds in Securities and Execute Contracts, Agreements or Transactions in Connection with Such Investment Accounts**
- G. Discussion and/or Action to Approve Resolution No. 1907 Regarding Investment of City Funds**
- H. Discussion and/or Action to Approve Ordinance No. 1385 Declaring a Public Need and Necessity and a Public Purpose; Authorizing the Acquisition of Certain Real Property in the City for Right-of-Way and Easement Purposes, Authorizing and Directing the Mayor, City Manager and City Attorney to Acquire Title to Such Real Property on Behalf of the City by Donation, Eminent Domain or Purchase for an Amount not to Exceed Fair Market Value of the Property, Plus Acquisition and Closing Costs**
- I. Discussion and/or Action to Approve Ordinance No. 1386 Approving an Amendment to the Airport Lease Operational Management Agreement Between the City of Winslow and Wiseman Aviation, Inc.**

COUNCIL CONSIDERATION AND POSSIBLE ACTION**A. Discussion and/or Action to Consider Request for Assistance for the July 1st & 2nd Native American Pow Wow**

Erin Dickson discussed plans for the upcoming Pow Wow and stated that he is requesting use of the multi-purpose field and monetary assistance for the event. At the request of Mayor Cano, Mr. Dickson confirmed that a police presence is also being requested. Mr. Dickson commented on fundraising efforts and stated that he is requesting assistance in the amount of \$2500 from the city.

After further discussion regarding the event, the following motion was made:

Moved by Councilmember MacLean, seconded by Councilmember MacLean, to approve the \$2500 assistance and other requested services. Motion passed unanimously with Mayor Cano and Councilmembers Boyd, Cake, Crisp, Jackson, MacLean and Nelson voting yes.

B. Presentation Regarding Potential Development of Approximately 1200 Acres of City-Owned Real Property Located West of State Route 87 and South of Airport Road by Atlas Global Development LLC Related to an Industrial, Manufacturing and Warehousing Development

Danny Wasson began the presentation by stating that Atlas Global Development Group would like to purchase the 1200 acres of city-owned property that is located south of the airport. Mr. Wasson stated that he has been working over the last year and a half to acquire additional property in the Winslow area which he feels is critical for the infrastructure and development of the town.

Mr. Wasson provided information related to his construction and development background, as well as that of his partner, Daniel Lupien, whose background is in real estate investment trusts. Mr. Wasson stated that Atlas Global sees Winslow as an opportunity for industrial development. Mr. Wasson referred to their previous partnership with World Home Initiatives (WHI) and stated that Atlas Global is no longer associated with WHI.

After commenting on continuing efforts related to a market analysis for Winslow, Daniel Lupien stated that what sets Winslow above other areas along the I-40 corridor is the three accessible modes of transportation in close proximity to each other. Mr. Lupien provided a PowerPoint Presentation that included the following topics:

- Information regarding the Atlas Global Development Group Team
- Market Indicators: new market opportunities that put Winslow front and center for a major investment in infrastructure; cargo opportunity direct from air to rail and road; market demands that include large industrial and manufacturing clusters along the I-40 innovation and logistics corridor; re-shoring and on-shoring to create large market demands near key infrastructure (rail, road, air); high velocity cargo port of entry; public/private partnership (90/10); infrastructure grants; and land planning – housing, commercial, industrial, multi-family and retail
- Timeline for market analysis, due diligence, cost analysis, entitlement, phased construction, marketing, leasing/sales and management
- Phased Development Concept: Phase 1 & 2 – East and West of State Route 87; Phase 3 – South Industrial Rail Served Expansion; Phase 4 – Airport Expansion
- Winslow Industrial & Manufacturing Hub – road, rail and air logistics
- Construction budget: breakdown of horizontal infrastructure costs

Following the presentation, Mr. Wasson provided additional information regarding the size of their proposed development and stated that all 1200 acres are needed to meet their vision and goal. Mr. Lupien discussed the challenges of combining manufacturing/industrial development with a residential development in close proximity to an airport. Mr. Lupien responded to a comment from Mayor Cano regarding the fact that both Southside and Coopertown are in close proximity to their proposed development. Councilmember Boyd stated that this property has been designated as industrial for several years and he does not feel that any portion of it should contain residential development.

In response to a question from Councilmember Nelson, the City Attorney stated that the city is in the process of updating the General Plan. The City Attorney also referred to City Code provisions related to Airport Rules, Overlay Regulations and No Growth Zones and stated that as the Council starts looking at specific plans, it needs to be determined that they are not on parcels that do not allow for growth. Clarification was provided by staff that the city does have an Airport Master Plan.

After Mr. Lupien responded to a question from Councilmember Nelson regarding funding for infrastructure improvements, he confirmed, at the request of Mayor Cano, that each manufacturer will be required to obtain permits and go through the development review process with the city. Mr. Lupien explained the process involved with bringing in manufacturers once the horizontal infrastructure is complete. The Zoning Hearing Officer clarified that the approved zoning designation would provide for allowable, legal uses of the area. The City Attorney stated that the proposed sale of this property has always been contemplated as a long due diligence period with multiple steps with the understanding that a General Plan amendment and/or rezoning may be needed. The City Attorney further stated that the city could limit certain types of uses and Mr. Lupien provided additional information regarding stipulations that could be included in the development agreement.

Mr. Wasson and Mr. Lupien responded to a question from Councilmember MacLean regarding Phase 4 of the project that includes expansion of the airport property including the runway. Mr. Lupien also responded to a question from Councilmember Crisp regarding payment of the infrastructure costs.

Paula Leppin spoke regarding her concerns related to this project and stated that she would like to see a comprehensive plan, a financial report that includes information other than grant funding and a surety bond. Mr. Lupien responded to Ms. Leppin's comments.

Mayor Cano provided Julia Sells with a copy of the PowerPoint Presentation and Mr. Lupien responded to a comment from Ms. Sells regarding the impact that this project may have on the city's aquifer.

Dan Lutzick spoke regarding Atlas Global's proposed project and stated that, although massive, this appears to be more realistic than the World Homes Initiative project. Mr. Lutzick also stated that the city should consider bringing in independent experts to protect its interests.

Attorney Raandi Morales, who represents Paula Leppin, stated that it appears that Palmer Development's projects have been on a smaller scale and stated that her concern, as well as others in the community, is that they want a good product that they can live with. After stating that she has spoken to the City Attorney, Ms. Morales stated that she is confident that this project will be properly vetted and reviewed.

Mayor Cano and Mr. Lupien responded to an additional question from Julia Sells regarding the impact that this project may have on the school district and fire and police services.

In response to a question from Mayor Cano regarding whether Atlas Global has an alternative if the city decides not to sell them the entire 1200 acres of property, Mr. Lupien stated that it would present challenges for them but they would then look at everything north of the levee and assist the city, as master developer, by working with other developers. Mr. Lupien also stated that there needs to be an overall vision for the property. In closing, Mr. Wasson discussed the current funding available for this type of project.

C. Presentation Regarding Potential Development of Property Located Between the Winslow-Lindbergh Regional Airport and South to the Arizona State Prison Complex (Parcel No. 103-01-012A) by Sam Matyas

Sam Matyas referred to the presentation that he provided to the Council in January showing his initial plans for a 187-acre phased housing development that is located within the 1200 acres that Atlas Global is interested in purchasing. Mr. Matyas provided information regarding his discussions with WHI, and now Atlas Global, related to his development and its location being near the airport stating that he is now looking at a 220-acre parcel just north of the prison complex along State Route 87.

Mr. Matyas commented on the immediate needs for housing in Winslow and stated that he has the ability and financing to construct apartments once land is available. Mr. Matyas' concept for new apartment complexes and mixed use residential/commercial buildings was projected on the screen. The concept includes condos, town houses, shopping centers and outdoor recreation areas. Mr. Matyas discussed future phases of his project that included a man-made 10-acre lake and an amphitheater.

Mr. Matyas responded to questions and comments from Councilmember Boyd regarding the location of his development being in an industrial area and the possibility of using a different site. There was further discussion regarding the former golf course property wherein the City Attorney stated that the city may want to pull a map of all city-owned property that also contains property that was sold with claw back language.

In response to a question from Councilmember Crisp, Mr. Matyas stated that the developer would be responsible for payment of the infrastructure costs.

Mr. Matyas also responded to a question from Mayor Cano regarding alternatives if the city does not sell him this acreage by stating that he is open to other locations as long as there is basic infrastructure to tie into.

MOTION TO MOVE INTO EXECUTIVE SESSION

Motion: Moved by Councilmember Cake, seconded by Councilmember Nelson, to move into executive session. Motion passed unanimously with Mayor Cano and Councilmembers Boyd, Cake, Crisp, Jackson, MacLean and Nelson voting yes.

EXECUTIVE SESSION

- A. Under authority of A.R.S. § 38-431.03(A)(3) and A(4), the City Council may hold an executive session for legal advice with the City Attorney and contract negotiations with the City Manager**

- B. Under authority of A.R.S. § 38-431.03(A)(3), A(4) and (A)(7), the City Council may hold an executive session for discussion or consultation for legal advice with the City Attorney and to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property and terms of development agreements that are the subject of negotiations, all related to the potential development of approximately 1200 acres of City-owned real property located west of State Route 87 and south of Airport Road including discussion regarding draft development agreement with Sam Matyas and draft purchase and sale agreement with Atlas Global Development LLC**

POSSIBLE DISCUSSION OR ACTION REGARDING ABOVE EXECUTIVE SESSION ITEM

- A. Discussion and/or Action Regarding City Manager Employment Agreement**

Motion: Moved by Councilmember Boyd, seconded by Councilmember MacLean, to accept the contract that has been presented to hire Dave Coolidge as the City Manager for the next three years. Motion passed unanimously with Mayor Cano and Councilmembers Boyd, Cake, Crisp, Jackson, MacLean and Nelson voting yes.

- B. Discussion and/or Action Regarding Potential Development of Approximately 1200 Acres of City-Owned Real Property Located West of State Route 87 and South of Airport Road Including Draft Development Agreement with Sam Matyas and Draft Purchase and Sale Agreement with Atlas Global Development LLC**

Mayor Cano stated that a decision has not yet been made to sell any of the property in question until further due diligence is done in reference to the information that was presented earlier in the meeting. Mayor Cano also discussed the possibility of bringing the two parties together to determine if they can work out a plan and agreement to develop both concepts on the property. Clarification was provided that direction included looking at other available city property for Mr. Matyas' housing development.

ADJOURNMENT

Motion: Moved by Councilmember Cake, seconded by Councilmember Boyd, to adjourn at 11:10 p.m. Motion passed unanimously with Mayor Cano and Councilmembers Boyd, Cake, Crisp, Jackson, MacLean and Nelson 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 and executive session of the Winslow City Council held on October 25, 2022 at 6:30 P.M. I further certify that the meeting was duly called and that a quorum was present.

Dated this _____ day of _____, 2022.

City Clerk