

Minutes of the regular meeting of the Winslow City Council held on March 14, 2023 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 (via Zoom), Councilmember Nelson

MEMBERS ABSENT:

Councilmember Tafoya

STAFF:

David Coolidge City Manager, Trish Stuhan City Attorney, Suzy Wetzel City Clerk, Tim Westover Public Works Director, James Hernandez Fire Chief, Una Wirkebau Economic Development Director, Kelley Pugh Human Resources Manager, Marshall Larsen City Inspector, Jason Sanks Zoning Hearing Officer (via Zoom)

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

CALL TO THE PUBLIC

Veronica James, Health Benefits Advocate for North Country Health Care, spoke regarding free enrollment services that are currently being provided at North Country.

MAYOR AND COUNCILMEMBERS REPORTS

A. Current Events and Announcements

Councilmember Crisp announced details of the following events:

- Fluffy therapy at the Library on March 30th
- Guest speaker at the Winslow Homolovi Observatory on April 22nd
- Second Annual Winslow Arts Festival at the Route 66 Plaza on April 29th

- League of Arizona Cities & Towns Conference in Tucson on August 29th - September 1st
- Rural Policy Forum in the Globe/Miami area on August 2nd – August 4th

After encouraging citizens to utilize the Calendar of Events on the city's website, Councilmember McKee stated that she has been using the indoor pool and commended the Recreation Department for both the condition of the facility and pool staff. Councilmember McKee also reminded citizens that the deadline to complete the Navajo County survey is April 2nd.

Mayor Cano announced details of the Clear Creek Cowboys events scheduled for March 16th & 18th. Mayor Cano also thanked city staff who assist with setting up the meeting room for council meetings.

Councilmember Cake announced the Community Blood Drive at the Elks Lodge on March 22nd & 23rd.

B. Future Agenda Items

Councilmember MacLean stated that he would like to review any parking codes/ordinances that may hinder development plans in the downtown area.

SCHEDULED PRESENTATIONS AND PROCLAMATIONS

A. Presentation of Employee Service Awards

The Human Resources Manager announced the name of the employee that was receiving a five-year service award but was not in attendance.

B. Presentation from Northern Arizona Council of Governments Council on Aging

Mary Beals-Luedtka, NACOG Aging Director, provided a PowerPoint Presentation outlining details of their mission to "Provide Answers on Aging Through Services, Resources and Advocacy." Additional information included various fiscal year 2022 stats, nutrition and transportation providers and funding sources & programs.

Ms. Luedtka also referred to the Council on Aging's relationship with the Winslow Senior Center and discussed funding and unit comparisons for congregate meals, home delivered meals and transportation/trips from 2010 through 2020. After stating that the Senior Center made the decision to not respond to NACOG's Request

for Proposals in 2020, resulting in a loss of the ability to congregate at the Senior Center, Ms. Luedtka commented on the various programs and services that were also lost due to that decision.

Brandon Baxter, Family Support Program Manager for the Council on Aging, spoke regarding his love for both the community of Winslow and his job that allows him to help those in need. Mr. Baxter also discussed the benefits of the programs and services that were previously offered at the Senior Center and stated that the facility could be utilized to offer a full scope of NACOG's services.

There was discussion regarding the current use of the Senior Center, which Mr. Baxter stated, is primarily a site for distribution of food boxes. Ms. Luedtka provided additional information regarding the RFP process and encouraged Winslow to submit a response during the next cycle.

In response to comments made by the Council regarding the lack of current programs and under-utilization of the facility, Ms. Luedtka stated that the Council on Aging provides technical assistance and can provide guidance through the RFP process. Ms. Luedtka also provided options available to run the Senior Center since the city owns the building.

After Ms. Luedtka and Mr. Baxter responded to additional questions from the Council, Mayor Cano requested that staff set up a meeting with the Senior Center to further discuss operations.

C. Quarterly Hospital Report Which May Include General Update Regarding Construction at Little Colorado Medical Center (LCMC) and Services Offered at the LCMC Clinic

After stating that due to COVID it has been three years since he has been able to personally provide a report, Jack Dempsey, CEO of Little Colorado Medical Center, thanked the city for their strong partnership exhibited over the last several years. Mr. Dempsey referred to the impact of the COVID pandemic, both nationally and locally, and stated that collaborative efforts to communicate with local and county officials have continued on a regular basis.

Mr. Dempsey provided information regarding various services and programs offered at LCMC and reported that the hospital remains financially strong and stable.

D. Quarterly Northland Pioneer College (NPC) Written Report Which May Include Update on Past/Future Events and Little Colorado Campus Activities

Mayor Cano referred to the written report that was included in the packet and provided highlights from the report including progress with NPC's 2021 – 2024 Strategic Plan, scholarships for the 22/23 academic year, the Rural Non-Profit Summit at the Snowflake Campus on March 16th and plans for the 50th anniversary of the opening of NPC in 2024.

E. Proclamation – Proclaiming the Month of April as Fair Housing Month

Mayor Cano read the proclamation.

STATUS REPORTS

A. Verbal Status Report on Current City Activities by City Manager Which May Include Budget Preparation

The City Manager discussed the process for the Fiscal Year 24 budget that will commence on July 1, 2023 and stated that there are a couple legislative bills that may have a dramatic impact on the budget. The City Manager discussed SB 1063 that will eliminate tax on food for home consumption, which represents nearly \$1.5 million in general fund revenues. The City Manager provided information regarding the budget timeline, including the public input session regarding the five-year capital plan scheduled for May 9th, the Council work session on the same day to review the proposed budget and adoption of the final budget on June 27th.

After stating that there seems to be misinformation regarding the development and permitting process related to upcoming and potential development in the city, the City Manager discussed detailed steps that are required before a development project is approved. The City Manager clarified that drainage and grading studies and water usage requirements are part of the requirements prior to the submittal of construction documents. The City Manager also referenced SB 1117 and stated that the bill would preempt the City Code for development procedures and eliminate the city's ability to require this type of information prior to proceeding with a development project.

In conclusion, the City Manager announced that the March 28th City Council meeting has been cancelled.

Mayor Cano referred to the City Manager's comments relating to the development and permitting process and clarified that the requirements

that were discussed are for major development projects and not home renovations and/or repairs. Mayor Cano also encouraged citizens to reach out to our legislators regarding the negative impact that SB 1063 would have on the city.

B. Quarterly Report by Fire Chief Which May Include Call Statistics and Community Outreach Events

The Fire Chief referred to statistical information for the months of December 2022 – February 2023 included in the agenda packet and highlighted various events that took place during the reporting period. The Fire Chief also reported that the fire department responded a structure fire in December 2022 involving a fatality and a vacant apartment building fire in February 2023.

The Fire Chief acknowledged and thanked Mortenson Construction for donation of a trailer to haul the department's Polaris Ranger UTV. The Fire Chief also responded to questions from Councilmember MacLean regarding the number of outside city limit calls, charges for those calls and subsequent payment.

C. General Plan Update from Zoning Hearing Officer

The Zoning Hearing Officer provided information outlining the 2023 General Plan update process that included community involvement and adoption. The Zoning Hearing Officer also discussed his intent to analyze the current General Plan to identify what core content remains relevant and what requires updating.

After referring to the Statute requirements that must be followed for the update, the Zoning Hearing Officer discussed dates for various tasks included in the update with tentative adoption by the City Council in October 2023. The Zoning Hearing Officer also responded to comments made by Mayor Cano regarding the importance of citizen input throughout the process.

CONSENT CALENDAR

Motion: Moved by Councilmember Cake, seconded by Councilmember MacLean, to approve the Consent Calendar as presented. Motion passed unanimously with Mayor Cano and Councilmembers Cake, Crisp, MacLean, McKee 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 Executive Session of February 14, 2023, Regular Meeting of February 28, 2023 and Executive Session of February 28, 2023**
- C. Discussion and/or Action Regarding Reappointment of Member to the Arts Council**
- D. Discussion and/or Action Regarding Resolution No. 1912 Dissolving the Winslow Agriculture Commission**

COUNCIL CONSIDERATION AND POSSIBLE ACTION

- A. Discussion and/or Action Regarding Commission Agreement/Listing Contract**

The City Manager explained that after receiving direction from the City Council, interviews were conducted with the two brokers that submitted a response to the Request for Qualifications. After the City Manager stated that the interview committee is recommending Charles Tupper of I40 Homes, Mayor Cano directed staff to negotiate a contract with I40 Homes.

- B. Presentation and Direction Regarding Requested Municipal Code Amendment Related to Fire Sprinklers**

The City Manager referred to the request and explained that this item is before the Council since it is an amendment to the 2015 Building Code as opposed to a zoning code amendment that would come to the Council in ordinance form. After explaining that the request is to waive the fire sprinkler requirement for 4-plex townhouses contained in the International Residential Code Section 313.1R, the City Manager discussed the material that was included in the packet for this item.

The City Manager stated that since the developer, Steve Lesondak, indicated that he has gone through this process with other municipalities in Colorado, staff reached out to them to determine if they encountered problems after removing the requirement. The City Manager discussed his findings for the four municipalities that were contacted. Mr. Lesondak provided additional information regarding the municipalities that the City Manager referenced and stated that he worked with those municipalities regarding the requirements over the last ten years wherein some may have been implemented the requirement since that time.

Mr. Lesondak referred to the city's infrastructure/water pressure and discussed the impact to the fire department from a technical support standpoint if he is required to install fire sprinklers for his proposed

project of 42 fourplexes. After stating that the cost to install fire sprinklers is over \$3 million, Mr. Lesondak explained that there is no way for him to recoup his costs to fund the project.

Mayor Cano referred to the need for affordable housing and stated that since there is not an Arizona municipality that has waived the requirement, does the city want to set the precedence moving forward.

At the request of Councilmember MacLean, the Fire Chief provided his opinion regarding the request to waive the requirement and stated that fire sprinkler requirements are there for a reason and save both lives and property. Mr. Lesondak understands the Chief's position but stated that there are studies and evidence that show that fire sprinklers on these types of structures do not make that much of a difference. Mr. Lesondak also commented on the long-term problems that occur from damage done to property by fire sprinklers. In response, the Fire Chief stated that he believes that it is up to the builder to provide the necessary infrastructure needed for a project.

After further discussion regarding the impact that water pressure has on fire sprinkler systems, Mr. Lesondak responded to a question from Councilmember McKee regarding alternative safety methods that prevent a fire from spreading to other units. The Fire Chief also responded to Mr. Lesondak's comment regarding property damage from fire sprinklers.

The City Inspector clarified that the codes allow a plumber to design, install and maintain fire sprinkler systems. The City Inspector also provided information regarding requirements for separation walls. Mr. Lesondak responded to comments made by the City Inspector stating that a plumber would have to be trained to repair a fire sprinkler system. Mr. Lesondak also stated that there are limited services available in Winslow and he would be required to utilize the services of a plumber from Flagstaff if there was a problem with the system on the weekend. The City Inspector stated that the City Code requires the developer to provide services for their development.

In response to a question from Mayor Cano, the City Inspector stated that if duplexes were being built, the State would assume liability since, per State statute, fire sprinklers are not required for single family residences and duplexes.

After Mayor Cano requested a legal opinion, the City Attorney stated that this is clearly a political decision and recommended that the Council go into executive session if they would like to discuss the risks in more detail. After the City Manager confirmed that the Council can

move into executive session for legal advice on any of the agenda items, Councilmember Crisp made a motion to move into executive session for legal advice. The motion was seconded by Mayor Cano and passed unanimously with Mayor Cano and Councilmembers Cake, Crisp, MacLean, McKee and Nelson voting yes.

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

After returning from executive session, Mr. Lesondak responded to a question from Mayor Cano regarding his reasons for wanting to construct fourplexes instead of duplexes. Mr. Lesondak also provided additional information regarding the steps required to build duplexes.

After Mayor Cano thanked Mr. Lesondak for his efforts to provide affordable housing in Winslow, the following motion was made:

Motion: Moved by Councilmember MacLean, seconded by Councilmember Nelson, to deny the request to change the code and keep the code as-is. Motion passed unanimously with Mayor Cano and Councilmembers Cake, Crisp, MacLean, McKee and Nelson voting yes.

ADJOURNMENT

Motion: Moved by Councilmember Cake, seconded by Councilmember Nelson, to adjourn at 9:17 p.m. Motion passed unanimously with Mayor Cano and Councilmembers Cake, Crisp, MacLean, McKee 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 of the Winslow City Council held on March 14, 2023 at 6:30 P.M. I further certify that the meeting was duly called and that a quorum was present.

Dated this _____ day of _____, 2023.

City Clerk