

Minutes of the work session of the Winslow City Council held on April 25, 2023 at 5:00 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 MacLean, Councilmember McKee, Councilmember Nelson, Councilmember Tafoya

MEMBERS ABSENT:

Councilmember Crisp

STAFF:

David Coolidge City Manager, Trish Stuhan City Attorney, Suzy Wetzel City Clerk, Marshall Larsen City Inspector

Mayor Cano called the meeting to order at 5:08 p.m. The Pledge was given and the Invocation was offered by Councilmember MacLean. Roll call was taken and Councilmember Crisp was absent. Motion: Moved by Mayor Cano, seconded by Councilmember Nelson, to excuse the absent member. Motion passed unanimously with Mayor Cano and Councilmembers Cake, MacLean, McKee, Nelson and Tafoya voting yes.

DISCUSSION AND DIRECTION TO STAFF REGARDING PROPOSED AMENDMENT TO CITY CODE RELATED TO PARKLETS

Mayor Cano referred to the proposed code amendment related to parklets that was included in the packet and Councilmember Nelson stated that she noticed the popularity of parklets on recent trips she has made to Washington D.C. and Colorado. The City Attorney explained that the proposed code language was taken from other municipalities, both in state and out of state, and stated that her office included items that they thought should be incorporated based on the previous discussion with the Council.

There was discussion in response to a question from Councilmember MacLean regarding Section 12.09.040(B) that states that the permit will be issued or denied by the Community Development Department. The decision was made to change Community Development Department to "City Manager or his/her designee" and clarification was provided by the City Attorney clarified that the language could be changed again at a later date.

With regard to the draft language contained in Section 12.09.050(B)(2) that contains questions regarding parklets only being allowed in a particular area or zoning district, the City Attorney provided information related to what design standards were used by other cities and towns. After stating that the Council

has some flexibility on where they want to allow parklets to be constructed, the City Attorney provided options for the Council to consider including starting small by only allowing them in specific areas with other areas to be determined by the Council.

Mayor Cano referred to previous discussions regarding possibly allowing parklets in the entertainment district and commented on the fact that Bojos, Relic and Olde Town Grill already have wide enough sidewalks to accommodate outdoor seating. There was further discussion regarding the amount of traffic on Second and Third Street and how best to define where parklets will be allowed including the option of listing certain streets and/or intersections.

In response to questions from both Councilmember Tafoya and McKee regarding how an application would be handled if the area was outside the defined area, the City Attorney outlined language contained in the proposed amendment related to design standards and confirmed that the amendment does contain a section stating that appeals will be heard and determined by the Council. The City Attorney stated that the language can state that parklets shall be allowed from certain streets and include “and additional areas approved by the Council.”

After additional discussion regarding the best way to include language related to areas that contain bumpouts, the City Manager stated that when parklets were previously discussed with the Council, the decision was made that they would only be allowed on Kinsley Avenue between First and Third Streets. The City Manager also commented on drainage issues on Second Street and suggested that the code include the recommended language that the Council can approve additional areas.

The City Manager confirmed that encroachment permits were required for Bojos, Relic and Olde Town Grill for their outdoor seating. The City Attorney responded to a question from Councilmember McKee regarding the code definition of a parklet and clarified that it is not limited to dining. The City Manager also provided additional information regarding encroachment permit requirements.

The City Attorney responded to a comment from Councilmember MacLean and discussed language contained in Section 12.09.060(F) requiring the applicant to remove or relocate any and all objects accessory to the parklet within a reasonable time as determined by the City.

The City Attorney read the changes that she will be incorporating into the new Municipal Code Chapter 12.09, Parklets, that include that “A parklet may only be located between First and Third Streets on Kinsley Avenue and additional areas designated by the City Council” and additional language under

definitions to include that the parklet shall be removable. The City Attorney stated that she did not feel that a timeline for the removal should be included since staff can deny the permit and work with the applicant if the parklet cannot be easily removed.

At the request of the City Manager, there was discussion regarding expiration of the permit wherein Council provided direction to leave the language that states that the parklet permits are non-transferable and shall expire on transfer of ownership but remove the language that states that the permit will expire in two years.

The City Attorney then discussed liability concerns mentioned by the Council and clarified that there is a section that requires the applicant to provide proof of general liability and property insurance. The City Manager clarified that the limits will be determined with assistance of the Risk Pool. The City Attorney also discussed additional language that can be included on the permit application regarding liability.

There was a discussion regarding compliance with various ADA requirements wherein the City Inspector stated that seating must be raised to be accessible from the sidewalk and guardrails are required. In response to a question from Councilmember McKee, the City Attorney discussed language that can be included in the code regarding removal of the parklet in the event of closure of the business.

Prior to adjourning, staff responded to a concern from a member of the audience regarding the possibility of a food truck setting up as a temporary structure in the downtown area.

ADJOURNMENT

Motion: Moved by Councilmember Cake, seconded by Councilmember Tafoya, to adjourn at 5:50 p.m. Motion passed unanimously with Mayor Cano and Councilmembers Cake, MacLean, McKee, Nelson 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 work session of the Winslow City Council held on April 25, 2023 at 5:00 P.M. I further certify that the meeting was duly called and that a quorum was present.

Dated this _____ day of _____, 2023.

City Clerk