

Minutes of the regular meeting of the Winslow City Council held on January 9, 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 Nelson, Councilmember Tafoya

MEMBERS ABSENT:

None

STAFF:

David Coolidge City Manager, Matt Schiumo City Attorney, Suzy Wetzel City Clerk, Margaret Dyer Finance Director, Tim Westover Public Works Director, Jack Fitchett Economic Development Director, Brandee Leary Librarian (via Zoom), Trevor Eltsosie IT Specialist

Mayor Cano called the meeting to order. The Pledge was given and a moment of silence was observed. Roll call was taken and all members were present.

Prior to opening Call to the Public, Mayor Cano asked members of the audience to raise their hand if they were attending to speak under Call the Public regarding the Atlas project. Due to the number of hands raised, Mayor Cano stated that Call to the Public would be limited to one minute so that the proclamation can be read and presented to the High School Danceline Team who will be attending the basketball game immediately following the presentation. The City Attorney clarified that the mayor has the discretion to reduce the time limit as long as everyone is given the opportunity to speak. A member of the audience requested that the proclamation be read prior to Call to the Public which was agreed upon by the mayor.

CALL TO THE PUBLIC

Before members of the audience spoke, Mayor Cano read a press release prepared by the Economic Development Director regarding the sale of approximately 1200 acres of city owned property to Atlas Development for a proposed industrial development project. Mayor Cano referred to misleading information that is being circulated related to the project and stated that the Council has had no discussion regarding Southside or Coopertown. Mayor Cano further stated that it is completely up to a property owner if they elect to sell their property if they are approached by Atlas.

After requesting that there be further discussion at either a regular meeting or a work session to discuss putting the Atlas Development project on a future ballot so that the public can vote on the project, Mayor Cano opened Call to the Public.

Holly Wagner requested that advance notice of the date that possible reinstatement of the Planning & Zoning Commission will be discussed so community members can make plans to attend the meeting. Mayor Cano stated that there are plans to discuss this item at a future meeting and Ms. Wagner asked that the date be announced tonight and again requested that sufficient notice be provided.

The following individuals spoke and expressed their concerns regarding the Atlas project, specifically the impact that the project will have on the Southside and Coopertown neighborhoods:

Deborah Lopez	Anna Dewitt
Katil (no last name provided)	Arthur Gonzales
Sandra Vasquez	Enrique Pacheco
Marian Moody	Frances Jones
Tony Parks	Daisy Caldera
Carol Dawn	Melcor Salazar

Daniel Lupien of Atlas Development addressed the concerns that were raised and stated that project plans can be changed. Mr. Lupien also stated that he is pleased that there is now community engagement and made a commitment to meet with both neighborhoods either individually or as a group.

Ann Schmidt referred to the Planning & Zoning Commission and stated that if what is being said by citizens tonight means anything to the Council, they should reinstate the commission.

Alice Kenkman spoke regarding the stray cat problem and the need for a trap and release program, as well as a voucher program and an affordable spay/neuter program.

Kathy Patton referred to public meetings that have been held by Atlas and stated that if members of the audience would have attended the meetings, they would have heard facts related to the project instead of believing the rumors that are circulating.

During Call to the Public, the City Attorney reminded the mayor that discussion is not allowed regarding comments that are made.

After closing Call to the Public, Mayor Cano encouraged citizens to contact members of the Council so that they can provide accurate information and

respond to questions and concerns. Mayor Cano also announced that a public meeting will be scheduled to correct the misinformation related to the project.

MAYOR AND COUNCILMEMBERS REPORTS

A. Current Events and Announcements

Councilmember Tafoya announced that the Doc Wright Wrestling Tournament will be held this Friday and Saturday (January 12th & 13th) and encouraged citizens to support the Winslow wrestlers. Councilmember McKee also encouraged support of the hospitality room.

Councilmember Crisp announced details regarding the following items:

- Elevate Winslow Program scheduled to begin on January 18th
- Mother Road Farmers Market Bazaar on February 10th
- The Vegetable Garden Workshop on January 13th
- Player & Family Night at the Winslow Theater hosted by the Bulldogs Baseball Booster Club
- Semi-Annual Winslow Psychic Fair on March 15th & 16th
- Start of Gymkhana on March 23rd
- Donations needed for the Council on Aging pantry
- Little League registration and fees

Councilmember McKee referred to various library activities and encouraged citizens to participate. Councilmember McKee also encouraged citizens to utilize the indoor pool.

B. Future Agenda Items

Councilmember Crisp requested that a workshop be held regarding the process for getting buildings put on the National Historic Register.

As stated under Call to the Public, Mayor Cano reiterated that she would like discussion regarding a public vote for the Atlas project and reinstatement of the Planning & Zoning Commission on an upcoming agenda. Mayor Cano also referred to questions she has received regarding use of the Diamondback Field for the upcoming season and requested that information be provided at an upcoming meeting.

Councilmember McKee requested a breakdown of property ownership in the Southside area.

SCHEDULED PRESENTATIONS AND PROCLAMATIONS

A. Proclamation – Recognizing the Winslow High School Lady Bulldog Danceline

*** This item took place prior to Call to the Public***

After Vice Mayor Crisp read the proclamation, it was presented to the Danceline Team and their coaches who were in attendance.

B. Quarterly Court Report Which May Include Justice Court and Municipal Court Case Filings by Category

Judge Little provided his report covering the months of July – September 2023. The report included the number of cases filed in both the Justice Court and the Municipal Court for the following:

Civil & Criminal Traffic	Criminal Petty Offense
Local Ordinance	Criminal Misdemeanor
Criminal Felony	Parking Violations
Initial Appearance	Small Claims
Civil Lawsuits	Eviction Actions
Order Protection/Harassment	Search Warrants

After providing information for the total number of cases filed from October 2023 – December 2023, Judge Little thanked the Council for their patience with his reports while they were short-staffed.

Councilmember McKee commended Judge Little and his staff on their professionalism in handling cases during reconstruction of their courtroom and while they were short-staffed.

C. Quarterly Old Trails Museum Report Which May Include Discussion of Museum Operations, Hours, Staffing and Events

Ann-Mary Lutzick, Director of the Old Trails Museum, highlighted the following information from her report:

Publications/Public Programs/Outreach

- 2024 Historical Calendar
- Fall Newsletter
- Historical Society Annual Meeting
- History Highlight

Collections

- Historical Fire Truck

Governance & Operations

- Historical Society Board
- Old Trail Museum Volunteers

Councilmember Nelson commented on the historical calendar that was provided to the Mayor & Council as part of the report.

D. Legislative Update from The Kruse Group

After thanking the Council for allowing her to continue to work with the city by approving her contract for an additional year, Karen Kruse commented on the recent State of the State Address provided by the Governor.

Ms. Kruse then provided a legislative update that included information regarding HB 2030 that would mandate an audit of all cities and towns water services department. Other items discussed were the sunset review of the Department of Forestry & Fire Management and the Arizona Department of Transportation and the \$500 million projected budget deficit which could have an impact on the appropriation of funds for the Winslow Levee.

Ms. Kruse briefly discussed the Army Corps' site visit of the levee on January 22nd and stated that she, as well as the city's Federal lobbyists, will be in attendance. In response to a comment from Councilmember MacLean regarding funding for the levee, Ms. Kruse stated that she is available to assist with drafting a letter to present to various members of the legislature to assure that the final disbursement is received.

STATUS REPORTS

A. Verbal Status Report on Current City Activities by City Manager Which May Include New Website Launch and App

The City Manager began his report by recognizing Melcor Salazar, who was in attendance, on his retirement after 34 years of service to the city.

The City Manager provided an update on the decision to convert the intersection of Williamson and Cherry into a four-way stop and also discussed details of the Elevate Winslow Program that is designed to equip local entrepreneurs to build a successful business.

In conclusion, the City Manager provided a preview of the new city website with the associated app.

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

The Finance Director began by discussing new options that are now available for payment of utility bills. After providing an update on the status of the FY 2023 financial audit, the Finance Director highlighted information from her written report for the month of November including cash and investment balances and revenues and expenditures for all city funds.

The Finance Director then provided information from the operational budget reports included in the packet and stated that there was a 7% increase in General Fund revenues compared to this time last year. The Finance Director also commented on various City Sales Tax revenues by category for the months of October and November.

CONSENT CALENDAR

Motion: Moved by Councilmember Cake, seconded by Councilmember Nelson, to approve the Consent Calendar as presented. Motion passed unanimously with Mayor Cano and Councilmembers Cake, Crisp, MacLean, McKee, Nelson 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 December 12, 2023, Executive Session of December 12, 2023, Special Meeting of December 20, 2023 and Executive Session of December 20, 2023**
- C. Discussion and/or Action Regarding Reappointment of Members to the Airport Commission**
- D. Discussion and/or Action to Accept Arizona State Library, Archives and Public Records Grant**
- E. Discussion and/or Action to Approve Job Order Contract Services with McCauley Construction, Inc. for Cemetery Expansion Project (Phase 1) and Approve Payment**
- F. Discussion and/or Action to Approve Job Order Contract Services with McCauley Construction, Inc. for First Street Parking Project and Approve Payment**

- G. Discussion and/or Action to Approve Payment for Mike's Pike Median Landscaping Project**
- H. Discussion and/or Action to Approve Ordinance No. 1406 Amending Chapter 12.04 – Streets and Sidewalks, of the Municipal Code by Adding Section 12.04.130 – Address Street Painting, Related to Licensing and Regulation of Painting Street Addresses on Curbs Within the City**
- I. Discussion and/or Action to Approve Ordinance No. 1407 Authorizing the Acquisition of Certain Real Property Located at 104 East First Street for Public Use; Authorizing and Directing Staff to Acquire Title on Behalf of the City and Take All Actions Necessary to Complete the Transaction**

COUNCIL CONSIDERATION AND POSSIBLE ACTION

- A. Discussion and/or Direction Regarding Library Project, Project Budget and Possible Change Orders**

The City Manager stated that the intent of this item is to discuss some of the issues to date related to the library project, including the condition of the ground and the location of the gas line. The City Manager referred to the budget of \$3,700,000 for the project and stated that the \$3,400,000 to construct the facility, plus design and engineering costs, have caused the project to have a very lean budget.

The City Manager stated that there is no way to know if there will be additional change orders and discussed the request made at a prior Council meeting to include trees and planters in the parking lot. The City Manager then discussed the option of solar panels through the APS Solar Community Program and explained details of the program that would provide shaded parking. The City Manager displayed conceptual design drawings of two other city facilities where solar panels will be utilized and commented on potential issues if trees and planters are placed in the parking lot.

After stating that he would like to have discussion regarding both the trees and planters, as well as the solar panel option, the City Manager responded to questions and comments from the Council regarding the aesthetics of the solar panel beams. There was also discussion regarding the landscape plan for the front and west side of the library facility and the impact that the facility will have on outside events (i.e. carnivals) that are usually held in the parking lot.

No action was taken on this item since there is still time before a decision needs to be made.

B. Discussion and/or Action to Accept City Manager's Recommendation Regarding Hiring of Police Chief

Mayor Cano announced that she has recused herself from the process of hiring a police chief since her husband had applied for the position. After confirming that the mayor did not participate in the process, the City Manager explained the process that was followed for hiring a new police chief, including three panel interviews and a public meet and greet over a two-day period.

The City Manager stated that each candidate was ranked by the individual panels and the public and Franklin Caldwell was the highest ranking candidate. The City Manager provided information regarding language in the City Code stating that the police chief is appointed by the City Manager with approval of the City Council.

After responding to questions and comments regarding the process that was followed, specifically during the Council's interviews of the applicants, the City Manager advised the Council that they can go into executive session for legal advice to further discuss this item. The City Manager reiterated that, per the City Code, the City Manager appoints the position and the City Council ratifies the appointment. The City Manager also reiterated that the candidate that he brought forth was the highest ranking candidate based on the scoring.

Councilmember Nelson made a motion to move into executive session. The motion was seconded by Vice Mayor Crisp and failed by roll call vote with Councilmembers McKee, Nelson and Tafoya voting yes and Vice Mayor Crisp and Councilmembers Cake and MacLean voting no.

Motion: Moved by Councilmember MacLean, seconded by Councilmember Cake, to approve the City Manager's appointment of Franklin Caldwell as the Police Chief. Motion passed with Vice Mayor Crisp and Councilmembers Cake, MacLean, McKee and Tafoya voting yes and Councilmember Nelson voting no.

MOTION TO ADJOURN TO EXECUTIVE SESSION

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

EXECUTIVE SESSION

- A. Under authority of A.R.S. § 38-431.03(A)(3) and (4), 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 the City Attorney and its representatives regarding retention of legal counsel related to the PFAS Water Settlement
- 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 Purchase and Sale Agreement with Atlas Global Development, LLC for development of approximately 1200 acres of City-owned real property located west of State Route 87 and south of Airport Road

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

DISCUSSION AND/OR ACTION REGARDING ABOVE EXECUTIVE SESSION ITEMS

After returning from executive session, Councilmember Crisp made a motion to approve the Legal Services Agreement related to the PFAS Water Settlement. The motion was seconded by Councilmember Tafoya. At the request of the City Manager, the motion was amended to include authorizing city management to execute the documents so that it can be done before the settlement period ends. The motion passed unanimously with Mayor Cano and Councilmembers Cake, Crisp, MacLean, McKee, Nelson and Tafoya voting yes.

Mayor Cano stated that there is no action for Item B.

ADJOURNMENT

Motion: Moved by Councilmember Cake, seconded by Councilmember Nelson, to adjourn at 10:45 p.m. Motion passed unanimously with Mayor Cano and Councilmembers Cake, Crisp, 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 regular meeting of the Winslow City Council held on January 9, 2024 at 6:30 P.M. I further certify that the meeting was duly called and that a quorum was present.

Dated this *23rd* day of *January*, 2024.

Suzy Wetzel

City Clerk