

TUSAYAN REGULAR TOWN COUNCIL MEETING

Wednesday, January 5, 2011, 6:00 p.m.
Best Western Squire Inn, Zuni Conference Room
74 State Route 64, Tusayan

MINUTES OF MEETING

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Bryan called the meeting to order at 6:02 p.m. and the Pledge of Allegiance was recited.

2. ROLL CALL

Present were Mayor Greg Bryan, Vice Mayor Cecily Maniaci, Council Members, Bob Blasi, Al Montoya, and John Rueter. Also present were Interim Town Manager, Cynthia Seelhammer, Interim Town Attorney, Bill Sims, and Town Clerk, Pam Parsons.

3. CALL TO THE PUBLIC FOR ITEMS NOT ON THE AGENDA

No items were addressed by the public.

4. CEREMONIAL AND INFORMATIONAL MATTERS

Mayor Bryan introduced Bill Sims, Interim Town Attorney, of the law firm of LaSota and Peters.

5. CONSENT AGENDA

A. Consideration and possible approval of Previous Meeting Minutes

December 15, 2010

B. Consideration and possible approval of Administrative/Treasurer's Report

Acceptance of the Finance Report (Attachment "A")

b. Approval of the Payment of Bills

c. Consideration and possible approval of membership in the Alliance for Innovation

(Attachment "B")

Manager Seelhammer explained that the December 15 meeting minutes are not yet available therefore the approval will be rescheduled for the next Council Meeting. She also reviewed the financial report and the payment of bills. Council Member Montoya moved and Council Member Rueter seconded the motion to approve the Consent Calendar, with the exception of the December 15 minutes. The motion passed unanimously.

6. COMMITTEE REPORTS

Ad Hoc Housing Committee – Committee Chair John Dillon reported on two resignations from the committee. Both Robbie Evans and Craig Graves have resigned, leaving eight of the ten seats filled. Dillon also said that he hopes to schedule a committee meeting before the next Council Meeting.

The council directed the Town Manager to issue a notice let the community know about the vacancies, and collect interest forms from those who might be willing to serve.

7. PUBLIC HEARINGS

No public hearings scheduled.

8. ITEMS FOR ACTION

Agenda item #10.A.a (The creation of a street lighting improvement district) was moved up from the Executive Session Agenda to be discussed at this point.

The Mayor asked the Council's permission to rearrange the agenda and hear the item regarding the possible creation of a street lighting improvement district (SLID) in public.

Town Manager Seelhammer explained that SLIDs are common in new subdivisions as a way to pay to install and maintain street lights. Coconino County has only one, the one located in Tusayan. Since the Town has incorporated, it would be appropriate for the Town to start a SLID to replace that of the county.

Town Attorney Sims explained the statutes allowing the county to dissolve their district and transfer funds to a new SLID set up by the Town. This will require an intergovernmental agreement (IGA) with the County to transfer assets and information. A contract with APS will also be needed. He recommended that the Town do a petition and collect signatures from property owners to set up the new SLID. If the size of the district in the SLID is to be changed, now would be the time to do that.

Council asked about expanding the size of the district for the SLID beyond just the highway to allow lighting to be installed in other areas of the Town. Other questions had to do with timing.

Council directed the Town Manager to contact the property owners in Tusayan about the option of expanding the size of the SLID and return to the Council with information about options, and a recommendation.

Approval of contract for on-call services with Woodson Engineering – discussion and possible action.

Manager Seelhammer presented the staff report and introduced Mark Woodson (Attachment "C"). Council asked Woodson about his services.

Council Member Montoya moved and Vice Mayor Maniaci seconded the motion to approve an on-call contract with Woodson Engineering. Council Member Rueter abstained from the vote, saying he has a current contract with Woodson. Motion passed 4 to 0 with one abstention.

B. Purchase of a modular for use as a Town Hall – discussion and possible action on Tusayan joining purchasing consortium

Manager Seelhammer presented the staff report (Attachment "D"). She explained that as a result of the last council meeting, the Town is looking to design and build a modular rather than re-use an older one. Discussions had indicated that a used modular would cost about \$120,000 but the need to upgrade it to a heavier snow load would add \$60,000 to the price. She explained the state laws regulating how cities and towns can procure a design-build contract for a modular building, and showed the 70-page request for proposals recently used by a school district. As an alternative to doing a Tusayan request for proposals, local governments are allowed to use the procurement process completed by other agencies, or by a consortium of governments. One such consortium is the Mohave Consortium in Kingman that does procurement for many school districts, cities and towns in the state (Attachment "E").

There is no cost to join the consortium, but a one percent administrative fee is added to all purchases to fund the consortium.

Council discussed the consortium saving time and money. Council Members Blasi and Rueter offered to assist the Town Manager with this project.

Council Member Montoya moved and Vice Mayor Maniaci seconded the motion to approve joining the Mohave purchasing consortium and use their preselected vendors for design and construction of a modular for use as Town Hall. Motion passed unanimously.

C. Approval of an Intergovernmental Agreement (IGA/JPA 10-024-I) between the Town of Tusayan and the State of Arizona through its Department of Transportation to improve State Route 64 within the Town of Tusayan – discussion and possible action

Manager Seelhammer gave the staff report explaining that ADOT has been working for several years to design improvements to SR 64, including new medians, roundabouts, and landscape (Attachment “F”). The attached IGA outlines the responsibilities of the state through ADOT and the Town, specifying what the state will build, and that the Town will become responsible for maintenance after the project is completed.

Council discussion was in regard to the length of time the project has been under discussion, the role of the county in assisting at the start, and the requirement that the Town will be responsible for snow removal on the sidewalk.

Council Member Montoya moved and Council Member Blasi seconded the motion to approve IGA /JPA 10-024-I between the Town of Tusayan and the State of Arizona through its Department of Transportation to improve State Route 64 within the Town of Tusayan. Motion passed unanimously.

D. Approval of an Intergovernmental Agreement (IGA/JPA 10-052-I) among the State of Arizona, the National Park Service and the Town of Tusayan to participate in a State Department of Transportation enhancement project along State Route 64 including the construction of a shared-use path, landscape and four permanent bus shelters – discussion and possible action

Manager Seelhammer presented the staff report and outlined the three-part agreement (Attachment “G”). The federal government through the National Park Service will provide funding of up to \$435,000 for the installation of four bus bays and bus shelters. The state will build the improvements through contracts managed by ADOT. The Town agrees to take ownership of the shelters, and to maintain them.

Council discussed a desire to see rendering of what the shelters would look like adding artwork to the shelters. Council Member Blasi moved and Council Member Rueter seconded the motion to approve the Intergovernmental Agreement (IGA/JPA 10-052-I) among the State of Arizona, the National Park Service and the Town of Tusayan to participate in a State Department of Transportation enhancement project along State Route 64 including the construction of a shared-use path, landscape and four permanent bus shelters. Motion passed unanimously.

E. Review of contest for a Town logo – discussion and possible action

Manager Seelhammer presented an overview of the staff report on a possible logo contest from the previous council meeting (Attachment “H”). She then explained that the Tusayan Chamber of Commerce is interested in partnering on a branding study, and explained what “branding” means in regard to marketing.

Mayor Bryan recognized Norman Hannah, of the Chamber, who spoke about the rationale of doing a branding study before developing a logo, since the branding study provides criteria to use to develop a logo. A branding study would involve hiring a consultant to interview stakeholders to define branding elements. The Chamber Board will meet next week to discuss this. The Chamber would like to make a proposal on a possible partnership with the Town on a branding study.

Council directed the Town Manager to work with Mr. Hannah and return with a proposal for Council consideration.

F. Starting a Town website – discussion and possible action.

Manager Seelhammer described various options for how towns design and implement municipal websites (Attachment “1”). She reviewed the range of costs for municipal websites.

Council discussed the options and costs, waiting for a branding study, need to have some web presences so people can contact the Town, and the desire to audio stream council meetings through the site. There was also discussion about the website name.

Council Member Rueter moved and Council Member Blasi seconded a motion to bring back a contract to design and upload and host a town website, cost not to exceed \$3,500. Motion passed unanimously.

G. Snow removal from Town sidewalks – discussion and possible action

Manager Seelhammer spoke of the problem resulting when heavy snow falls, and that if sidewalks are not cleared, many people will have to walk to and from their workplaces in the street.

Town Attorney Sims explained that it is perfectly appropriate for the Town to spend public funds to clear snow from the public rights-of-way. He recommended attempting to coordinate snow removal with ADOT. If the Town does want to undertake snow removal from sidewalks, the attorney advises contracting with a vendor who has the proper insurance.

Council discussed the rare times when ADOT clears the sidewalks, use of HURF to pay for snow removal, need for the mayor or manager to spend funds on this in case of a sudden snowfall, expenditure of public funds in case of an emergency, and what to do between now and having a contract in place.

Mark Woodson, of Woodson Engineering, Flagstaff Arizona, spoke about limiting snow removal to public right-of-ways.

Clarinda Vail, Tusayan Arizona, pointed out that some property owners clear their sidewalks and others do not. She believes that if the Town removes snow from the sidewalks, it should be from all sidewalks.

Council Member Rueter moved and Council Member Blasi seconded a motion to allocate \$10,000 for emergency snow removal, and permit the Town Manager or Mayor to arrange for snow removal from the sidewalks in the public right-of-way along SR 64 in the event of a snowfall. Motion passed unanimously.

H. ACC Procedural Hearing regarding water service in Tusayan – discussion and possible action

Town Manager Seelhammer reported that the Arizona Corporation Commission held a procedural hearing on January 4 in Phoenix at that meeting. Town Attorney Sims explained background about utility regulation, and the purpose of the Arizona Corporation Commission (ACC). Tusayan Water Development Association (TWDA) holds the Certificate of Need and Necessity from the ACC. TDWA buys water from Anasazi and Hydro. The problem is that the residents are being charged two different rates. A complaint regarding the different rates led the ACC to begin policing the three entities.

Sims explained that the Town is in a position to assist with a remedy in this situation. The Town could run a water company, but to do so requires a vote by the residents. The Attorney advises that the Town not take sides, but consider the possible benefits of becoming a Town water company. The ACC will hold another hearing on February 7. The Town of Tusayan is being asked whether or not it wants to be an official intervener in this matter. The Town received copies of the Administrative Order from the ACC just today.

Council directed Town staff to return at the next Council Meeting with additional information about the options for the Town in this regard, including information on the costs and benefits.

Increase in hours for town management – discussion and possible action

Town Manager Seelhammer explained the current contract with IPM (Interim Public Management) for management services and the need for an increase in hours if the needs of the community are to be met (Attachment “J”). Seelhammer stated that she is only available three days a week, but that the work load is greater than that. In addition, a couple of new projects are coming to the Town and will require additional time by management. She explained that if the Council would like to undertake the new work as well as all the on-going work, she recommends expanding the hours from three days a week to four or five days a week.

Council discussion was in regard to whom from IPM would work for the Town for additional hours, work from Phoenix versus driving to the Town, the need to accomplish the foundational work and the special projects. The Mayor pointed out that only \$7,400 of the \$60,000 for the manager has been spent so far this fiscal year.

Council Member Rueter moved and Council Member Blasi seconded a motion to authorize an increase in the hours with IPM up to 40 hours per week to accomplish the current work of the Town. Motion passed unanimously.

J. Letter from Grady Gammage Jr. for Stilo Group requesting that the Town authorize staff to begin negotiations regarding various land use issues - developer – discussion and possible action

Mayor Bryan read aloud the letter from Gammage in regard to negotiating with the Town of Tusayan on a development agreement for three properties: Camper Village, Kotzin and Ten X (Attachment “K”). They propose mixed-use development and the possibility of donating 40 acres to the Town for housing and public uses.

Town Manager Seelhammer pointed out that the previous action increasing IPM management hours provides the authority necessary for the Manager to begin discussions with Mr. Gammage.

9. ITEMS FOR DISCUSSION

Provision of Planning and Development Services, and current issues in Planning

Manager Seelhammer said that she expects Tim Pickering to take the lead on the development agreement and that he will have a staff report at the next meeting in regard to planning services.

B. Town Manager's Report

Council Members Training Modules update – Manager Seelhammer reported that workshops will be planned for Thursday mornings and one on Planning is in the works.

Policies and Procedures – Manager Seelhammer reported that a workshop on Council Meeting Procedures will be set up to define how agendas are set and how the council operates.

Update on Proposition 203 – no update until the State Department of Health Services issues its rules; which is expected in mid-January.

Update on recruitments: Town Manager, Town Attorney, Town Clerk, Town Bookkeeper/Treasurer

Town Manager Seelhammer reported that the League of Cities has collected more than 40 applications for Town Manager and the recruitment will be open for another three weeks.

Four applications were received for Town Attorney services, three of which met minimum qualifications. She asked that one or two council members be named to assist her with the review of the three. Mayor Bryan and Rueter offered to do so.

The ad for recruitment of part-time contract Town Clerk and Bookkeeper/Treasurer is already posted on the League website, and will be posted in the newspapers over the next couple of weeks.

The Town Manager suggested that the Council begin compensating the current volunteer clerk for the writing of the minutes until a contract Town Clerk is hired. The Council directed the Mayor and Manager to meet with the Clerk to develop a proposal for payment for minutes.

Update on street light purchase – Town Manager Seelhammer reported that the purchase order has been issued and installation is being coordinated with APS and ADOT.

Set Agenda and Action Items for next meeting – Follow up with the vacancies on Housing Committee, SLID, Modular, ADOT presentation, Chamber and branding, investigate website, options for snow plowing, payment for Minutes, Planner Services, follow up on ACC water issues, under-grounding of overhead lines (invite Qwest and APS to attend meeting); guidelines on election;

10. MOTION TO ADJOURN INTO EXECUTIVE SESSION

The creation of a street lighting improvement district

Item was moved up on the Agenda to #8 and was discussed.

Mayor Bryan moved to adjourn the regular Council Meeting and go into Executive Session at 8:32 p.m.

The negotiation of an IGA with ADOT regarding snow removal in ADOT right of way

The issuance of CUP to the South Grand Canyon Sanitary District

The negotiation of a development agreement with Stilo Group

Acquisition of water system by Town

Vice-Mayor Maniaci moved and Council Member Blasi seconded the motion at 10:17 p.m. to adjourn the Executive Session and return to the Regular Council Meeting.

11. ADJOURNMENT

Council Member Montoya moved and Council Member Rueter seconded a motion to adjourn the Regular Council Meeting at 10:18 p.m. Motion passed unanimously.

Respectfully submitted,

Dated:

Pam Parsons, Town Clerk

Council member Bob Blasi

Mayor Greg Bryan

Council member Al Montoya

Vice Mayor Cecily Maniaci

Council member John Rueter