

TUSAYAN REGULAR TOWN COUNCIL MEETING

Wednesday, February 2, 2011, 6:00 p.m.
Best Western Squire Inn, Zuni Conference Room
74 State Route 64, Tusayan

MINUTES OF TOWN COUNCIL MEETING

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Bryan called the meeting to order at 6:00 p.m. and the Pledge of Allegiance was recited.

2. ROLL CALL

Present were Mayor Greg Bryan, Vice-Mayor Cecily Maniaci, Council Member Bob Blasi, Council Member Al Montoya, and Council Member John Rueter. Also present was Cynthia Seelhammer, Interim Town Manager

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

Brent Kok, 8 Memory Lane, spoke about meeting with Qwest and learning that a town can adopt an ordinance to require that utility lines be placed underground. He thinks this is a good idea and hopes the Town will pursue such an ordinance.

Norman Hannah, Director of the Chamber and Visitors Bureau, spoke about the US Parks Department releasing the results of an environmental study which calls for fewer flights over the Grand Canyon. He urged the town to learn more about it and make comments because this issue affects so many businesses might be affected by this.

4. CEREMONIAL AND INFORMATIONAL MATTERS

Presentation on Northern Arizona Council of Governments (NACOG) by the Director, Kenneth Sweet

Ken Sweet described NACOG as the Council of Governments that serves the 23 cities and towns in the four northern counties. They undertake regional issues such as economic development, planning in transportation, water quality, and social services. They distribute some ADOT funds, review and issue 208 plans, have programs for first-time home buyers, Headstart, Agency on Aging, and weatherization for low income homes. There is no cost for Tusayan to join, but the Town will need to pass a resolution to join.

5. CONSENT

Consideration and possible approval of January 19, 2011 Meeting Minutes

Consideration and possible approval of Administrative/Treasurer's Report

Acceptance of the Finance Report
Approval of the Payment of Bills

Consideration and possible approval of rescheduling the Regular Council Meeting of March 16, 2011 to March 23, 2011

Council Member Montoya moved and Council Member Rueter seconded the motion to approve the Consent Calendar items A, B (Attachment "A") and C. Motion passed 5-0.

6. COMMITTEE REPORTS

Ad Hoc Housing Committee – discussion and possible action on revisions to the scope of work for the Housing Needs Assessment Study and how to contact possible consultants.

Manager Seelhammer presented the staff report, describing the recommendations of the Ad Hoc Housing Committee. The Committee suggested revisions to the Scope of Work for the proposed Housing Study (Attachment “B”) and after reviewing the three responses to the Town RFP, suggests that Kuehl Enterprises be contacted about doing the study for the Town.

Brent Kok, 8 Memory Lane, stated that he had talked to Mr. Sweet from NACOG and learned that NACOG has done housing studies.

Council asked about what the Committee meant by use of the word “sustainable,” and whether the Committee wanted to know about housing options other than affordable housing. Council directed the Town Manager to learn more about what studies NACOG might be able to do and arrange for NACOG to speak to the Housing Committee, and then report back at the next meeting.

7. PUBLIC HEARINGS

No public hearings scheduled.

8. ITEMS FOR ACTION

Appointments to the Ad Hoc Housing Committee – review of applications and appointment of up to three members

The Mayor read the names of the four applicants and noted that two of them were present in the audience: Bill Fitzgerald and Sandra Angat. The Mayor asked each of them about their experience with employer housing and what they hope to see come from the Housing Study?

Bill Fitzgerald, 549 Camper Village Lane, Space 301 described his housing experience, that he believes improved housing is needed, and that he expects that what the committee learns can be used for planning and zoning as well.

Sandra Angat, 706 Squire Lane, said that she has experience in real estate and would like to buy something affordable where her grandchildren could visit. She would like to be part of the solution to make that happen.

Council discussed options for filling the three vacant seats on the committee.

Council Member Blasi moved and Council Member Rueter seconded a motion to appoint Bill Fitzgerald and Sandra Angat to the Ad Hoc Housing Committee. Motion passed unanimously.

Purchase of a modular and installation for use as a Town Hall – update, discussion, and possible action

Town Manager Seelhammer presented the latest pricing from TrowTiere and the floorplan. Once this is found to be acceptable, the Town will complete a purchase order through Mohave Cooperative. Council questions had to do with the pricing of accordion doors, the need for two accordion doors, the possibility of removing the accordion doors, and whether or not bonding has been included in the price.

Council Member Blasi moved and Council Member Rueter seconded a motion to approve the maximum price of \$260,374.07 and direct staff to proceed with the purchase order. Motion passed unanimously.

Establishment of a Town Street Lighting Improvement District (SLID) – update, discussion, and possible action

Town Manager Seelhammer reported that there had been one meeting with the County about ways to transfer funds in the existing SLID to the Town if a new SLID were not created, but additional meetings will be necessary.

Mayor Bryan gave details about the meeting he had with Kevin Hartigan from APS about location of the banner brackets and flag brackets, and how to place them on the pole to avoid the US flag wrapping around the banner. The banner brackets will be set at 8 and 12 feet, and the US flag bracket above that.

ACC Procedural Conference regarding water service in Tusayan (ACC Docket # W-02350A-10-0163) – update, discussion, and possible action to give the Interim Town Manager and Interim Town Attorney direction and instructions in order to respond to inquiries made in the course of the ACC Procedural Conference scheduled for February 7, 2011.

Town Manager Seelhammer reported that the ACC had responded to the Town's request to be a formal intervener, reporting that the ACC staff had no objections. The next hearing will be February 7 in Phoenix.

Resolution No. 2011-02-02-01 regarding StiloGroup reimbursing the costs to the Town for expenses related to fees for Town professional planners, staffing and attorneys by setting up a restricted Town account for that purpose – update, discussion, and possible action

Town Manager Seelhammer presented a staff report, explaining that the Town will face expenses for third-party experts to serve as staff to represent the interests of the Town, including planners, management staff and attorneys (Attachment "C"). These experts are hired and report to the Town, and the Town has complete oversight of the third-party experts. It is common for developers to reimburse a city or town for these expenses. The Town of Tusayan has not yet adopted development fees to cover the costs of new development and ensure that the community does not subsidize the costs for new growth. Town staff has negotiated an agreement with StiloGroup to pay \$25,000 to the Town as the start of the reimbursement to the Town for the expense of these third-party experts and to have the Town set up a separate fund to use that money only for that purpose. The Mayor read the Resolution (Attachment "D").

Clarinda Vail, 120 Shimmy Lane, Tusayan AZ, asked about the work the third-party experts will do, and why the Resolution mentions Ten X, since that parcel is located outside the Tusayan Town boundaries.

Aaron Hall, 702 N. Beaver, Flagstaff AZ, representing Red Feather Properties, expressed concern about the appearance of conflict and the objectivity of the third-party experts if they are paid by the developer.

Bill Fitzgerald, 549 Camper Village Lane, Space 301, Tusayan AZ, asked if the weekly staff meetings with the developer would be open to the public. Mayor Bryant explained that a quorum of Council does not attend the meetings and they are not open to the public.

Council spoke about offsetting costs for land planner, attorney and management and

other experts when working on a development agreement. Some of the discussion about the development agreement might include a request by StiloGroup to consider annexation of Ten X. Manager Seelhammer explained that first meetings with staff are usually to define what submittal documents will be needed. Once a submittal is made, the documents become public.

Vice-Mayor Maniaci moved and Council Member Blasi seconded the motion to approve Resolution Number 2011-02-02-01 authorizing the Interim Town Manager to receive funds to reimburse the Town for costs incurred related to the discussions regarding Kotzin Ranch, Camper Village and Ten X, and to establish a separate, restricted account for such funds. Motion passed unanimously.

9. ITEMS FOR DISCUSSION

A. Conducting a Branding Study with the Chamber and Visitors Bureau – update and discussion

Norman Hannah, Executive Director of the Tusayan Chamber and Visitors Bureau, spoke about the study. He said that the Chamber Board had agreed to pay half the cost of the study if the Town pays the other half. He expects that the Study will be completed by mid April.

B. Starting a Town Website – update and discussion

Manager Seelhammer stated that DotGov.gov has been applied to about granting Tusayan the domain name Tusayan-AZ.gov and that the approval of the application is pending. Mr. Williams has begun work on the website design and requests copies of photos to use. He hopes to have the prototype of the site up on the web by the next Council Meeting. The Mayor asked that anyone willing to provide photos to use, please send them to the Town Manager with a note giving permission to use them.

C. The Department of Interior’s proposal to extend the withdrawal of federal public lands adjacent to the Grand Canyon National Park from uranium mining – discussion

The Mayor explained that the Grand Canyon Trust had submitted a letter on this topic requesting support. The Mayor spoke about a meeting with Virginia Turner on this subject, asking if the Council would take a position on the matter. The Mayor requested additional information, which the Trust sent to the Council (Attachment “E”).

Clarinda Vail spoke about having addressed a Congressional Committee on this matter. She is concerned about the cost of growth that would face governments and districts if this kind of mining occurred. She hopes the Tusayan Council will support the Trust and other entities supporting the withdrawal of the public lands from mining. New mines would have more workers and no funds would come to the Town, fire district, or school district for the expense of serving these new workers.

Council Member Blasi stated that he will need to check with his employer and might have to refrain from any discussion on this issue. Council Member Rueter said he supports the withdrawal of public lands wherever there would be adverse impacts, but he believes all stakeholders should be given the opportunity to speak to the Council.

Council directed the Town Manager to arrange to invite people knowledgeable about this issue to come to a Council Meeting and make brief presentations.

D. Mail Delivery in Tusayan – update and discussion

Town Manager Seelhammer reported on a meeting with the Postmaster. Among the

information that the Postmaster shared was plans to close two thousand post offices, the unlikelihood of increasing service during this time of service cuts, and the requirement for group mailboxes in any future development. Because USPS is doing agreements with UPS and FedEx, people are encouraged to use both their PO address and street address at all times. In response to questions about the requirement of two forms of identification needed to rent a PO box. The forms of ID that are acceptable are defined by the USPS.

Council questions had to do with how people without PO boxes can receive mail, and can they use General Delivery?

Bill Fitzgerald stated that the Post Office in the Park does have General Delivery and visitors use it in the summer. The Post Office hangs on to General Delivery Mail for 30 days and then returns it to sender. He does not do General Delivery at his contract station, but will check with the Postmaster to see if he can.

E. Town Manager's Report

- i. Council Members Training Workshop update – Manager Seelhammer reported on plans for an Educational Workshop for 8 a.m. on Thursday, Feb. 3. A second Educational Workshop on budgeting will be set for Wednesday, Feb. 9 at 6 p.m.
- ii. Update on Proposition 203 – Manager Seelhammer reported that the State Department of Health Services is taking public comment on the new rules.

Update of recruitments: Town Manager, Town Attorney, Town Clerk, Town Bookkeeper/ Treasurer – Town Manager Seelhammer reported that there are three applications for Bookkeeper and two for Town Clerk. She asked for any Council Member who might like to assist with reviewing those applications. Vice Mayor Maniaci offered to help. Mayor Bryan reported that more than 70 people applied for the position of Town Manager and the League has recommended nine of those for further consideration. There will be an Executive Session scheduled for Council to review those applications.

F. Set Agenda and Action Items for Next Meeting

Jim Driscoll, Chief Deputy of Coconino County Sheriff's Office, offered to begin arranging for monthly presentations and to share information on major cases.

Next agenda to include an update from the Sheriff's Office, Judge Sutton, ACC hearings, SLID, mid-year budget, branding study, NACOG experience with housing studies, Town Hall modular, undergrounding ordinance, Resolution to join NACOG, and presentations on the uranium withdrawal issue.

Council Member Montoya moved and Vice-Mayor Maniaci seconded the motion to adjourn into Executive Session at 8:08 p.m. Motion passed unanimously.

10. MOTION TO ADJOURN INTO EXECUTIVE SESSION for the following purposes:

The Council may wish to go into Executive Session pursuant to A.R.S. Section A.R.S. 38-431.03.A.3 and A.4 for discussion and consultation with the Town Attorney in order to receive legal advice and to give directions concerning the negotiations of contracts (in the case of Items B and C below) concerning:

- A. The issuance of CUP to the South Grand Canyon Sanitary District
- B. The negotiation of a development agreement with the StiloGroup
- C. Acquisition of water system by Town and Town position on matters that are the

subject of ACC Docket ## W-02350A-10-0163.

Following the executive session, the Town Council may (in open session) take action on the items discussed in executive session.

Council Member Montoya moved and Council Member Blasi seconded the motion to reconvene the Regular Council Meeting at 8:49 p.m.

11. ADJOURNMENT OF REGULAR COUNCIL MEETING

Council Member Montoya moved and Council Member Rueter seconded the motion to adjourn the Regular Council Meeting at 8:51 p.m. Motion passed unanimously.

Respectfully submitted,

Dated:

Cynthia Seelhammer, acting as Town Clerk
Blasi

Council member Bob

Mayor Greg Bryan

Council member Al Montoya

Vice Mayor Cecily Maniaci

Council member John Rueter