

TUSAYAN REGULAR TOWN COUNCIL MEETING

Wednesday, February 16, 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 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 were Cynthia Seelhammer, Interim Town Manager and Pam Parsons, Town Clerk.

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

There was no response from the public.

4. CEREMONIAL AND INFORMATIONAL MATTERS

A. Monthly Report from Sheriff's Office

John Jameson, Sergeant with the Coconino County Sheriff's Office gave a brief history of himself. He got assigned to the Grand Canyon and William's district approximately a year ago. Past out business cards to the Council and informed them that if there are any concerns that they can contact him especially as a supervisor contact. Submitted the first Monthly Report which includes all of 2010 (January 1 – December 31) and briefly explained its contents (Attachment "A"). There were 100 case reports filed by the Officers in 2010 for Tusayan and for the entire County there are approximately 4,000-5,000.

Council Member Blasi mentioned that assaults and burglary are the biggest cases, and asked if this was typical compared to the past year or is this trend or has there been a change in the last 5 years. Sgt. Jameson stated that he does not have the numbers now, and cannot say if this is a rise or a fall, but he will try to have more statistics on the next months report.

Next month he will begin to track and break down in more depth on statistics and a month-to-month basis. Mayor Bryan asked Sgt. Jameson if he could submit more of a trend of the past few years, with arrest information and percentage of cases solved on the next report. Sgt. Jameson stated that he will also bring some information on Crime Prevention efforts next month to possibly assist the Town with cutting down on crime in the area.

B. Monthly Report from Judge Bill Sutton

Judge Sutton presented the monthly report and went through it briefly (Attachment "B"). Judge Sutton suggested to the Council to think about meeting with the County (since the 120 day contract re-newel clause is March 1) to negotiate on the cost and with the extra funds possibly hire a Town Marshall. Judge feels that approximately \$90 per case could be revenue for the Town. During the last month while studying other courts in towns like Tusayan, he concurs that the Town could have a Court and

it pay for itself.

The Judge reminded the Council that the 120 days is approaching with the County to keep as is, extend, or amend for law enforcement. He suggested that extending the contract by 60 days in order to give the Council time to make a decisions regarding law enforcement.

Judge Sutton has discussed giving a notice with Kathy Allen, Finance Director, Coconino County Sheriff's Office, with adjusting the timeline. Judge Sutton suggested going with Option 2 (amend the contract by 60-days) and stated that Ms. Allen thought it could get on the Board agenda for this month.

A 60-day extension would be for the Council to further look at the financial impact of hiring a Marshal, or re-negotiate the contract for the coming year.

Council Member Blasi feels that the Town is paying the County more than the services they are receiving, which demonstrates there is room to negotiate. Thanked the Judge for the amount of work and information he has provided to the Council. He would like to look at the budget, hire a marshal, and negotiate the price for the other services provided by the County and move forward with creating a court.

Manager Seelhammer encouraged the Council as they move forward with this year's budget, focus on what services of law enforcement is wanted/needed and what are the priorities in police protection is needed. That will help guide the Council in the upcoming discussions, negotiations, and investigations whether the contract with the County can be modified or begin to look at having a Town Marshal.

Council Member Rueter feels that a 60-day extension on the contract would simply be for the reason to see where the upcoming budget and funds are. Personally would like to see a marshal hired and modify the contract with the County and more research done into this and that this could be in the Towns best interest.

Mayor Bryan directed Manager Seelhammer initiate the contact with the County Sheriff's staff and inform them that the Council is investigating options for change and would like to extend the deadline for several months and begin discussions and negotiations with them.

5. CONSENT AGENDA

Consideration and possible approval of Previous Meeting Minutes

- i. February 2, 2011 - Regular Council meeting
- ii. February 2, 2011 - Executive Session meeting
- iii. February 3, 2011 - Council Work Session
- iv. February 8, 2011 - Special Council meeting
- v. February 9, 2011 - Council Work Session

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 Resolution No. 2011-02-16-01 regarding approval to join the Northern Arizona Council of Governments (NACOG)

Mayor Bryan informed the Council that late billings were received therefore the payment of bills amount has changed. Need to add \$100 for travel expense for the trainer who presented on planning and zoning, and \$1139.35 for the 1st billing on the creation of the

website, which would bring the payment of bills to \$42,613.43.

Vice-Mayor Maniaci moved and Council Member Rueter seconded the motion to approve the Consent Calendar items A, B, (Attachment "C") and C (Attachment "D") with the modification on the payment of bills. Motion passed unanimously.

6. COMMITTEE REPORTS

Ad Hoc Housing Committee – Manager Seelhammer informed the Council that due to the revisions of the scope of work suggested by the Housing Committee, she was directed to contact NACOG to inquire about a Housing Study. She has since then contacted NACOG and they do have staff available to do the Study and have the availability to hire any outside consultants that might be necessary. The advantage is that because NACOG has staff on hand, it is possible that the cost be somewhat reduced over what it would be to hire a consultant specifically for the Study. They have the ability to do the administrative and technical support internally within their organization, which the Town can take advantage of as a member of NACOG. Manager Seelhammer suggested she could investigate this further and see if NACOG could come up with a timeframe and price to consider.

Mayor Bryan directed Manager Seelhammer to continue the discussions with NACOG and bring back suggestions to the Council at the next meeting.

7. PUBLIC HEARINGS

No public hearings scheduled.

8. ITEMS FOR ACTION

Purchase of a modular and installation for use as a Town Hall – update, discussion, and possible direction to staff to negotiate a contract with TrowTiere through the Mohave Cooperative

Manager Seelhammer stated that the question with the modular was with regards to various types and amounts of accordion doors for the large multi-purpose room. Originally, with the plan there was no room for a smaller type conference room. The idea for accordion doors was to divide the large room into smaller rooms. Manager Seelhammer provided information from no accordion doors to two accordion doors, ranging from the amount from \$261,783 to \$279,589 and briefly explained each option (Attachment "E").

Council discussed ways of saving on the cost of the modular. Installing the accordion doors in the future; permanent walls put up later; fire exit doors needed in rooms if dividing for functions; financial responsible; log siding represents the town

Council Member Montoya moved and Council Member Rueter seconded the motion to approve the design with no accordion doors but adding in the exterior door that would be necessary if an accordion door is added later not to exceed \$270,785.39. All agreed unanimously.

Manager Seelhammer informed Council that Mohave Cooperative has completed the bidding and has found that Baystone Financial Group is their recommended vendor for providing financing for the modular. Submitted were three finance proposals - 5 year, 3 year, or 2 year term (Attachment "F"). Manager Seelhammer believes the two year term is the most conservative option financially, but the five year option gives more flexibility with the general fund. Manager Seelhammer briefly reviewed each option. The Councils preference is the five year option.

The Mayor directed Manager Seelhammer to investigate and find alternatives to Baystone to compare them as the best source of financing for the Town on a \$275,000 loan to be repaid over five years.

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

Manager Seelhammer informed Council that the Town has received information from the ACC in the matter of the procedural hearings. The Town requested to be an intervener and the ACC staff has no objections. Various parties are also interveners; attorneys have been chosen to represent the different parties; and the ACC has asked for information back by the first week of April. Tusayan Staff is working through our attorney with the other attorneys to try to come up with an agreement on an appraiser to evaluate the value of the water company and infrastructures.

Resolution to adopt fees for Town of Tusayan building safety permit and planning services, and adopting a permit and application fee schedule and building valuation table – discussion and possible approval of Resolution no. 2011-02-16-02 establishing land use application and building permit fee schedules for the Town

Manager Seelhammer stated that Willdan and Associates started with the County's fees as a starting point for what the Town should charge for building permits and other building related services. Manager Seelhammer briefly explained both Exhibits). Willdan recommended these figures along with Resolution No. 2011-02-16-02 (Attachment "G" - Exhibit A & Exhibit B). It is modified slightly from what Coconino County uses in that its set at a level that the Staff believes will recoup the costs for the services. Currently there is no record of costs to provide these services but a year from now there will be a year's worth of information and will be able to adjust accordingly.

Clarinda Vail, 120 Shimmy Lane, Tusayan AZ, stated that the process was just take the county's fees and increased it by a percentage and is the County's fee schedule available to compare. Ms. Vail would like to see a cost comparison with the County's fee schedule to know what the percentage of increase is. Manager Seelhammer and Mayor Bryan responded with Willdan used the County and due to Tusayan being in a remote area projected the fees as to what they thought the costs would be. It is not intended to be a revenue source but a cost neutral.

Mayor Bryan directed Manager Seelhammer to contact Willdan to provide a comparison with current County fees and an explanation for what the proposed increases will be. The Resolution will be placed on the next agenda.

D. Ordinance to require utilities in the Town of Tusayan be placed underground – discussion and possible direction to staff to prepare an ordinance

Manager Seelhammer stated that an initial investigation into undergrounding utilities and would like to begin work to prepare such ordinance. Ordinance's have different publication requirements than that of Resolutions and with that said, would like this be put on the agenda if it's the Councils desire to place utilities underground (Attachment "H").

Mayor Bryan directed Manager Seelhammer to submit an underground ordinance and begin the process to make this happen.

- E. Installation of pipe sleeves under SR 64, and the funding for this work, for use by Qwest and other utilities** – discussion and possible direction to staff to negotiate contractual documents with ADOT and/or Qwest concerning the installation of pipe sleeves under SR 64

Manager Seelhammer stated that as part of the new improvement to S.R. 64 and the desire for underground utilities, the question arose as to who will install and who will pay for the pipe sleeves. An estimate of \$8,000 for one pipe sleeve was received. For the installation of the pipe sleeves discussions will continue with Qwest, ADOT, and APS, but the likelihood is that the Town will pay for the sleeves. Mayor Bryan stated that the \$8,000 includes the pipe, excavation and placement of the sleeve.

Council Member Montoya moved and Council Member Rueter seconded to approve the installation of up to two pipe sleeves at the approximate cost of \$8,000 per sleeve. Motion passed unanimously.

- F. Undertaking the work of creating the Fiscal Year 2010-2011 Town Budget and schedule to accomplish such work** – discussion and possible action

Manager Seelhammer reminded Council that there is 8-10 weeks left to create the budget for the next fiscal year. Would like two Council Members to advise and assist with the work on the budget so it can be put together and submit for Councils approval.

Mayor Bryan and Council Member Rueter will work with Manager Seelhammer or George Pettit on the Budget for the FY 2010-2011 and bring back a draft to the Council for review.

- G. 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 and possible direction to staff concerning possible preparation of a resolution

Mayor Bryan stated that Council Member Blasi will need to abstain from all discussions regarding this item.

Manager Seelhammer informed Council that Stakeholders will discuss this item at the next Council Meeting, March 2. This includes representatives from the uranium mining industry, as well as the Grand Canyon Trust, and offers have been made to the Forest Service and other entities. As Manager Seelhammer hears replies from them, she will add them to the Agenda.

A sample of a resolution from Flagstaff did for an example and consider in case the Council would like a resolution at some point (Attachment "I").

Mayor Bryan informed the Council that the Forest Service will also report on the Travel Management Plan at the next Council meeting.

9. ITEMS FOR DISCUSSION

- A. Town Website** – update and discussion

Manager Seelhammer informed Council that the Town's draft Website has been launched (Attachment "J"). The address is tusayan-az.org. Staff is in the process of getting the domain name tusayan-az.gov however this process is taking longer than expected. Once the .gov domain is up, the two will be combined. Comments and suggestions are welcomed.

Council Member Rueter thanked Manager Seelhammer for her work getting this website running. Looked at it, believes it's a start of a good thing, and just need to expand on it.

Manager Seelhammer added that agendas and minutes that have been approved will be placed on there also.

B. Town Manager's Report

- i. Council Members Training Workshop update – Council Procedures; a 20 some page document that outlines how things are done for council meetings, so if any questions ever arrive, or staff change, there is a document that explains the process. Intention is to have the document to the Council beforehand, and at the workshop it can simply be walked through. Workshop is scheduled for Thursday, March 3, from 6:00 to 8:00 p.m.
- ii. Update on Proposition 203 – Manager Seelhammer informed Council that you can go to the League of Cities website and listen to the hearing that the Department of Health had on the rules for implementing Medical Marijuana regulations.

Update of recruitments: Town Manager, Town Attorney, Town Clerk, Town Bookkeeper/ Treasurer – Town Manager Seelhammer reported that it has been narrowed down to two candidates for the Town Attorney and one will be recommended to Council at the March 2 meeting. Phone interviews have started for the position of Town Clerk and Town Bookkeeper and hope to set up face-to-face interviews over the next two weeks. Mayor Bryan stated that for the position of Town Manager there continues to be interviews and anticipate based upon the preliminary refining, to invite 2 to 3 applicants to town on Monday, February 28, and Tuesday, March 1, for one-on-one interviews. The Town will schedule a community event to give the public an opportunity to meet the manager finalists and give the Council some recommendations on them. The list was refined down from 71 applicants with the help of the Arizona League of Cities and Towns.

Update on current land use, zoning, and permits – Town Manager Seelhammer updated the Council on current applications and/or building permits submitted (Attachment "K").

F. Set Agenda and Action Items for Next Meeting

Next agenda to include: Presentations from the National Forest Service and uranium withdrawal issue (3-4, 5-10 minutes a person); fee schedule on permits; underground ordinance; dark sky's ordinance; housing committee; modular report for 5-yr finance; NACOG involvement on housing study; IGA with County for 60-day extension; Update on recruitments (town attorney, town manager, town clerk, bookkeeper/ treasurer); SLID

Bob Petzol from the South Grand Canyon Water District suggests that the building permit process be adjusted to include comments on plans by the water company, fire district, and sanitary district. He wanted the Council to know that Willdan is arranging a meeting to create a formal guide that can be followed.

Brent Kok, #8 Memory Lane, Tusayan Arizona, suggested an item regarding the branding study from the CVB

Vice-Mayor Maniaci moved and Council Member Rueter seconded a motion to adjourn into Executive Session at 7:44 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 concern the negotiations of contracts (in the case of Items B and C below) concerning:

- A. The negotiation of a development agreement with the StiloGroup
- B. Acquisition of water system by Town and Town position on matters that are the subject of ACC Docket # W-02350A-10-0163
- C. Pursuant to A.R.S. Section 38.431.03.A.1 the Council may consider applicants for the position of Town Manager. Following Executive Session the Council may act to either select finalists to be interviewed or to select a person to serve as Town Manager.

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

Vice-Mayor Maniaci moved and Council Member Montoya seconded the motion to reconvene the Regular Council Meeting at 9:22 p.m.

No other action or official business was conducted.

11. ADJOURNMENT OF REGULAR COUNCIL MEETING

Council Member Montoya moved and Vice-Mayor Maniaci seconded the motion to adjourn the Regular Council Meeting at 9:24 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

