

TUSAYAN REGULAR TOWN COUNCIL MEETING

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

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. Proclamation on Civility

The Proclamation of Civility was read by Mayor Bryan (Attachment "A").

Mayor Bryan read another Proclamation as March 2, 2011 being Pam Parsons Day, with her volunteering her time and tonight being her last meeting as town clerk (Attachment "B").

B. Presentation by Kaibab National Forest representative on the Travel Management Plan

Mike Williams with the Kaibab National Forest explained where the Travel Management Plan progress is at the moment. The plan should be ready to implement and enforced in a couple months. Margaret Hangar, also with the Forest Service explained that there would be signage, kiosks, further information and education on what the new rule states. She also stated that they are seeking public comment on the project of thinning 8000 acres of forest.

C. Presentations by Stake holders regarding the Department of Interior's Proposal to extend the withdrawal of Federal Public Lands adjacent to the Grand Canyon National Park from uranium mining

Three presentations by Stakeholders will be given regarding the proposal to extend the withdrawal from uranium mining and a Summary of Potential Environmental Impacts by Alternatives was submitted (Attachment "C").

American Clean Energy Resources Trust (ACERT): Pam Hill, Executive Director of ACERT and Kris Hefton, Vice-President of Vane Minerals gave a PowerPoint presentation and briefly explained the parcels, various mines, drilling, and proposed withdrawal acreage. They explained that the uranium ore bodies in the Arizona Strip have the highest-grade ore in the U.S. averaging 0.65% uranium - generally about 5 times higher than any uranium deposits elsewhere in the country (Attachment "D").

ACERT is in favor of Alternative A, which is No Action; Area Remains Open under the Mining Law.

Bureau of Land Management (BLM): Chris Horyza from the Arizona State Office, who is the project lead of the proposed withdrawal Draft Environmental Impact Statement (DEIS). He explained the various agencies involved in the proposal and gave a brief history of the EIS (Attachment "E"). Mr. Horyza continued with explaining the four alternatives. Four public meetings in March will be held in Phoenix, Flagstaff, Fredonia, AZ and Salt Lake City, UT. Primary authors and research biologists will be at the meetings to answer questions. The final date for public comment on the EIS is April 4, 2011. After that, the BLM, in consultation with cooperating agencies, will respond to comments and prepare the Final EIS. After the Final EIS has been published, the Secretary of the Interior will make a final decision.

Grand Canyon Trust: Roger Clark, Director of Air and Energy Programs along with colleague Virginia Turner gave a brief description of the non-profit organization, which was founded in 1985 and has around 4000 members. Handed out a map and explained what it represented (Attachment "F"). The Grand Canyon Trust is in favor of Alternative B, which has a Proposed Action; 20 Years – 1 Million Acres Withdrawn. Emissions would be the least under this alternative.

5. CONSENT AGENDA

Consideration and possible approval of February 16, 2011 Meeting and Executive Session Minutes

Consideration and possible approval of Administrative/Treasurer's Report

Acceptance of the Finance Report
Approval of the Payment of Bills

Mayor Bryan stated that an invoice was received from UnderSubtone, website designer, for \$ 780.00 that needs to be added to the Payment of Bills (Attachment "G").

Council Member Montoya moved to accept the Consent Agenda with the added change to the payment of bills. Council Member Rueter seconded the motion. Council Members agreed unanimously.

6. COMMITTEE REPORTS

No Committee Reports scheduled.

7. PUBLIC HEARINGS

No public hearings scheduled.

8. ITEMS FOR ACTION

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 action

Council Members agreed to review the proposal in depth. Item will be put on March 23 agenda.

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

There are two seats that remain open on the Ad Hoc Housing Committee. The applicants interested in those seats are not in attendance tonight. Mayor Bryan directed Manager Seelhammer to contact the final two applicants and request for their attendance at the next Council meeting.

Selection of Town Attorney, appointment, and Approval of Contract - Staff is recommending William Sims – discussion and possible action

Manager Seelhammer stated that the Town of Tusayan hired William Sims as the Interim Town Attorney last fall. In December, the Town advertised for attorney services through the League of Arizona Cities and Towns with four responses received. Three of the four met the minimum qualifications the Town was in need of (Attachment “H”). To come to the Council with a recommendation, the Manager considered experience with issues such as those Tusayan now face, work methods, familiarity with Tusayan, price, responsiveness, and possible conflicts. Manager Seelhammer is recommending the William Sims.

Council Member Rueter moved and Vice-Mayor Maniaci seconded to approve the contract with William Sims of LaSota and Peters to serve as the Tusayan Town Attorney. Council Member Blasi asked why the applicant from Phoenix was eliminated. Manager Seelhammer responded that it was due to lack of experience. Motion passed unanimously.

D. Conducting a Housing Study in Partnership with Northern Arizona Council of Governments (NACOG) – discussion and possible action; direction to Staff

Manager Seelhammer presented a staff report, explaining that the Council had asked her to work with NACOG to see if they would be able to provide a housing study that better meets the needs of Tusayan (Attachment “I”). Because the Town is a member of NACOG and because NACOG has administrative staff to assist there might be the possibility of a broader study at a lesser cost than the proposals the Town received last fall.

Council discussed the price, noting it was only slightly less than the previous proposals. The Ad Hoc Housing Committee has not yet reviewed the proposal and the Council would like to know what they recommend. Manager Seelhammer agreed to refer the proposal to the Housing Committee for comment and recommendations.

E. Purchase of a Modular from TrowTier through the Mohave Cooperative and Installation for use as a Town Hall – update, discussion and possible action

Manager Seelhammer stated that the modular floorplan from TrowTier has been updated with two partitions removed and one header located roughly in the middle of the large meeting room to accommodate installation of future accordion doors (Attachment “J”). Manager Seelhammer explained that financing the modular would be around \$264,733 and waiting for a response from two financial institutes and a callback from Chase Bank. Construction can begin as soon as the Council approves the floorplan design. Council Members agreed that the modular floorplan was the design they preferred.

F. Creation of the Positions of Part-Time Town Clerk and Part-Time Bookkeeper/Treasurer and Allocating Funds for Salaries – discussion and possible action

The Town has functioned with a volunteer town clerk since being incorporated. The Towns business has begun to outgrow the time that a volunteer can manage the duties. The same is true for the position of a Town Bookkeeper/Treasurer. The Mayor has been maintaining the financial records and reports are generated for each

Council Meeting. In order to ensure that Clerk and financial functions are completed in a professional and timely way, it will be necessary to establish the position of a Part-Time Town Clerk and Part-Time Bookkeeper/Treasurer (Attachment "K").

Two applications were received for the Clerk position with both interested in doing both the Clerk and Bookkeeper jobs. Several applications were received from people and firms interested in the Bookkeeping position. Before these positions are filled it is necessary that the Town Council approve creation of the two new positions and authorize funding for the pay.

Council Member Montoya moved and Council Member Rueter seconded the motion to establish the two paid positions of Town Clerk and Town Bookkeeper and approve a budget allocation of up to \$10,000 to pay for this work for the remainder of this fiscal year.

Council Member Blasi was concerned about housing needs for the person hired. Manager Seelhammer responded that the person would do the majority of work from home and travel to Tusayan for the meetings.

Council Member Montoya stated he felt that in the near future more ownership of the position needs to be taken. Council Members agreed.

Manager Seelhammer is meeting with an individual this week and will advise the Council of the outcome.

G. Creation of a Town Dark Skies Ordinance – discussion and possible action; direction to Staff

Manager Seelhammer stated that many communities have adopted ordinances known as "Dark Skies" to regulate the amount and kinds of lighting used at night (Attachment "L"). Mayor Bryan asked for this issue to be referred to the Planning & Zoning meeting on March 24 to be discussed.

Brent Kok, #8 Memory Lane, Tusayan AZ, asked if the existing lighting in businesses would have to be changed. Manager Seelhammer responded not unless a major remodel is done.

H. Resolution to Adopt Fees for Town of Tusayan Building Safety and Planning Services; 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 explained that the information provided is the same as the last Council meeting with the addition of the comparison of Coconino County's Fees and the recommended Tusayan Fees (Attachment "M"). Along with this is a comparison of fees for some application types from seven different towns.

Clarinda Vail, 120 Shimmy Lane, Tusayan AZ, wants to know why the temporary use permit went from \$50 to \$400 especially since it is usually requested for a one-day event by a non-profit organization.

Mike Rock, General Manager, Grand Hotel, Tusayan AZ, asked for more consideration on the temporary use permit also.

Council Member Rueter feels that the special use permit from the non-profit organizations should stay at the \$50. Mayor Bryan also agrees with this because the wants this service to be a break-even item, not a revenue stream.

Council Member Blasi moved and Council member Montoya seconded the motion to adopt Resolution No. 2011-02-16-02 with the change with the one-day, special use permits for non-profit organizations remain at \$50. Council Members agreed unanimously.

Mayor Bryan directed Manager Seelhammer to revise the Fee Schedule to specifically include language for non-profit organizations one-day event fees for \$50.

I. Council Pay and Reimbursements – discussion and possible action; direction to Staff

Manager Seelhammer stated that the Mayor and Council are expending personal funds and time away from work to meet their obligations as elected officials. The Council requested that she research options for compensation and reimbursement to elected officials for time and expenses (Attachment “N”). She noted that the state law does not allow council members to increase their own pay. Any action the Council takes will not become effective until after the next council election. Any changes to pay will apply only to future council members who have stood for election.

Clarinda Vail stated that to directly pay a town council she thinks is inappropriate.

Council discussed the concerns they had with being paid or not. Using vacation time; taking time off from their primary job; civic duty as elected by the community, Sanitary District Board gets paid \$50 a month.

Council Members did agree that being reimbursed for certain duties such as meetings, expenses occurred during traveling for training, supplies, etc. should continue. Council Member Rueter commented that a more in-depth policy for reimbursement be put into place.

Mayor Bryan would like to see some policy implemented to see future Councils compensated for their time and service possibly before the next election. This issue needs to be revisited and looked at within the next six months.

J. 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 on February 7, 2011

Manager Seelhammer stated that there is nothing to report on the issue.

9. ITEMS FOR DISCUSSION

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

Norm Hannah, Grand Canyon Chamber Director, presented a questionnaire and briefly reviewed it (Attachment “O”). He stated that the Study should be completed by the end of June. Mayor Bryan stated that he would like to see additional data and further impressions on Tusayan. Mr. Hannah commented that the first draft of questions should be final by next week and the part on Tusayan will be expanded on.

B. Town Website – update and discussion

Manager Seelhammer stated that the town website of tusayan-az.gov is now working. Continue to seek other ideas and content that could be added. Will also start posting

meeting agendas as well as approved minutes. Consider adding links to NPS, CVB, AOT, etc.

C. Town Manager's Report

- i. Council Members Training Workshop update – A workshop on Council Procedures was scheduled for tomorrow, but in light of an already full week she is suggesting the meeting be changed to March 9 at 6:00 PM for 1 - 1½ hours.

Mayor Bryan stated that Willdan has scheduled a meeting tomorrow with with Partners in Tusayan, such as the special districts and utilities for coordination of timelines of the plan review process. This will ensure that the comments from the Partners are taken into account when the Town reviews plans.

- ii. Update on Proposition 203 – Manager Seelhammer informed Council that there are no updates.

Update of recruitments: Town Manager, Town Attorney, Town Clerk, Town Bookkeeper/ Treasurer –

Mayor Bryan stated that the Council met with the three finalists for the town manger position and then each finalist meet one-on-one with each Council Member. Tuesday night an informal reception was held for a meet and greet for the community to ask questions. The intent tonight in executive session will be to further discuss the position.

Update on current land use, zoning, and permits – Planning and Zoning meeting on March 24. Land Use; Dark Skies Ordinance; and Underground Utilities Ordinance.

D. Set Agenda and Action Items for Next Meeting

Mayor Bryan stated that if anyone wants an item placed on the agenda they would need to contact him or the Town Manager for thoughts or recommendations. Vice-Mayor Maniaci suggested this information be posted on the website.

Next agenda to include: Introduction of new town manager and clerk; monthly report by Sheriff staff; monthly report from Bill Sutton; housing committee report; follow-up on uranium withdrawal; appointments to housing committee; NACOG housing study proposal; financing for modular town hall; special event permits.

Next scheduled Council meeting is March 23, 2011 at 6 PM.

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 the executive session, the Town Council may (in open session) take action on

the items discussed in executive session.
Council Member Rueter moved and Vice-Mayor Maniaci seconded a motion to adjourn into Executive Session at 8:40 p.m. Motion passed unanimously.

Vice-Mayor Maniaci moved and Council Member Montoya seconded the motion to reconvene the Regular Council Meeting at 10:25 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 10:25 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

