

## **DRAFT MINUTES**

### **TUSAYAN TOWN COUNCIL REGULAR MEETING**

Wednesday, January 4, 2012 @ 6:00 P.M.  
Best Western Squire Inn, Zuni Conference Room  
74 State Route 64, Tusayan Arizona

### **TOWN COUNCIL REGULAR MEETING MINUTES**

#### **1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

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

#### **2. ROLL CALL**

Upon Roll call, the following were present:

**MAYOR BRYAN**  
**VICE MAYOR MANIACI**

**COUNCILMEMBER MONTOYA**  
**COUNCILMEMBER RUETER**  
**COUNCILMEMBER FITZGERALD**

Also Present: Town Manager Ochoa  
Clerk Assistant Garver

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

No public comments were made.

#### **4. CEREMONIAL AND INFORMATIONAL MATTERS**

Charles Huellmantel, attorney and former Chair of the AZ Liquor Board, presented information on how the Town needs to establish a process to handle liquor license applications, appeals and protests.

Mike Spilker, CPA from Hinton Burdick, updated the Council on the audit process for the Town ledgers. He mentioned there were a couple of minor but common issues he noticed. 1) Segregation of duties – more than one person reviewing the financials. He commended the process to date in that the Council has been involved in reviewing check expenditures to date 2) Material audit adjustments – due to a new law, this has to be stated – it is expected that there will be adjusted findings to actuals. As an auditor, they can assist with some consulting but they cannot audit their own work.

#### **5. CONSENT AGENDA**

**Consideration and possible approval of Administrative/Treasurer's Report**

Approval of the Payment of Bills  
Approval of Minutes  
October 5, 2011, Regular Meeting  
October 13, 2011, Special Meeting  
October 17, 2011, Special Meeting  
October 19, 2011, Special Meeting  
October 19, 2011 Regular Meeting  
October 26, 2011, Special Meeting  
December 14, 2011 Special Meeting

Council Member Montoya moved to approve the payment of bills as presented and the approval of minutes, with the change to the October 13, 2011 from regular meeting to special meeting.

Vice Mayor Maniaci seconded the motion. All were in favor.

Town Manager Ochoa clarified that the Willdan check would be held until he receives additional description to the tasks completed and billed.

#### Acceptance of the Finance Report

Council Member Fitzgerald asked whether the CVB or the Town owns the lights?

Accounting Consultant Beckerleg presented the Council with Profit & Loss statements for July 2010 through June 2011 and July 2011 through November 2011. The Mayor thanked Judi Beckerleg for the effort and time put into getting the records to where they are today.

Council Member Montoya moved to accept the finance report as presented.

Council Member Rueter seconded the motion. All were in favor.

## 6. COMMITTEE REPORTS

No committee reports were presented.

## 7. ACTION ITEMS

### **Consideration, discussion and possible approval of a Resolution for the Call for a Special Election to be held on May 15, 2012 for an initiative and referenda.**

Council Member Fitzgerald moved to approve Resolution 2012-01-04-01 for the call for a Special Election for an initiative and referenda with the changes to wording requested by the Council.

Council Member Montoya seconded the motion. All were in favor.

The Council requested that a press release go out to advise constituents how to submit comments for the voter pamphlets. It should be no less than 300 words, the name of the author, signature, address, phone number, fee and it needs to be submitted by Jan 27, 2012 by 5pm at the Town Office. Town Clerk Sutton's contact information should be listed in the press release.

### **Consideration, discussion and possible approval of authorization for the Town Manager to enter into a Consulting Agreement for the processing of Liquor License applications in the Town of Tusayan.**

Council Member Rueter moved to approve the authorization for the Town Manager to enter into a consulting agreement with Charles Huellmantel for the establishment of processes and procedures for the processing of liquor license applications and to assist with the applications.

Vice Mayor Maniaci seconded the motion. All were in favor.

### **Consideration, discussion and possible approval of authorization for the Town Manager to enter into a Consulting Agreement for Prosecutorial Services for the Town of Tusayan.**

Aaron Kizer, Attorney at Law, has agreed to assist the Town with prosecutorial services for violations of Town Codes. He has met with the Town Attorney so that there is no overlap of work. It is a one year term for \$30,000 to be paid monthly.

Council Member Montoya moved to authorize the Town Manager to enter in to a

consulting agreement for prosecutorial services for the Town.  
Council Member Rueter seconded the motion. All were in favor.

**Consideration, discussion and possible approval of authorization for direct deposit of salary payment to employee of the Town via Chase Bank or any other bank mutually agreed to by the employee and the Town of Tusayan.**

The Council requested the language be changed to reflect that they authorize the direct deposit of salary payments for all employees, current and future.

Vice Mayor moved to approve the authorization for direct deposit of salary payments for employees of the Town.

Council Member Montoya seconded the motion. All were in favor.

**8. DISCUSSION ITEMS**

**A. Council Policies and Procedures (CMF)**

The Town Manager suggested that the Council set up an additional meeting to review Council policy and procedures separate from the retreat. January 25, 2011 at 5:00 pm was decided upon.

The Council took a 5 minute break and returned to session at 7:32pm.

**B. Application and Nomination Process for P&Z Commission (CMR)**

The Town Manager has submitted the current committee application as used previously to be published in the newspaper along with an invitation for those interested in being appointed to the Planning and Zoning Commission. As the applications come in, he will let the Council know. Council Member Rueter suggested allowing the P&Z Commission to set their own meeting schedule with at least one a month when applications were on file.

**C. Possible IGA with County for Cemetery Services or Town Cemetery (CMF)**

Council Member Fitzgerald discovered that the Town is not required to have a cemetery. Any questionable deaths go to Flagstaff for investigation. There is no policy in place for natural deaths. Council Member Rueter supported Council Member Fitzgerald's request for information on what the Town is required to do in natural deaths or unclaimed bodies. The Town Manager was asked to look into it and make some calls to clarify how this process works.

**Lots and Modulars on Airport property for future Town Employees (CMR)**

Mayor Bryan, Council Member Rueter, and the Town Manager met with John Nichols and Mike Halipin about availability of lots for future town employees' housing.

**Townsite Act and Applications (MGB)**

Mayor Bryan presented information on the Townsite Act process.

1) A new Tusayan General Plan is needed, 2) identify several land option for initial consideration – no less than 60 acres and no more than 640 acres, 3) identify desired uses and create a development plan, 4) provide evidence that there is no equally suitable private or public lands available, 5) file application, 6) will take 3-5 year & include environmental assessment after application has been filed, 7) Forest Service will evaluate land cost – only good for 6 months, 8) not a gift or a transfer – funds will have to be budgeted to purchase.

Clarinda Vail suggested that there is private land available in town and that she was concerned about what had already been rezoned and was wondering why the Council was looking at additional land.

The term “suitable” is not clear in the information received and in discussions with the Forest Service. It will need to be clarified what the Forest Service means by “suitable”. The Town will also have to set aside funds if it is not able to purchase outright and wanted to purchase in phases. The valuation would only be good for six months The Mayor said that the Tusayan General Plan would be the next step and that the Townsite Act would need to be discussed further.

## **9. TOWN MANAGER’S REPORT**

### **A. Community Activities**

The Town Manager suggested that it would be good for the Town to promote some community activities and even create an event will help with Town Branding, and other efforts to this end could include a float in the Rose Bowl.

### **B. Professional Activities**

Council Member Fitzgerald would like to attend a workshop sponsored by and accounting firm this month.

### **C. Zoning Code Workshop & Timeline for Adoption & Policies (CMF)**

The Zoning Code Workshop is scheduled for Jan 9, 2012 and Richard Turner will be in attendance.

### **D. IGA for Judicial Services with the Coconino County**

The Town Clerk and Town Manager met with the interim County Manager and he suggested an indemnification clause be added. – There will be no cost to the Town under the proposed IGA, but all money collected would go to the County. Judge Sutton will obtain a copy and share it with the Town Attorney who will review it.

### **E. Report on CUP transfer from Coconino County to Town of Tusayan**

The Town Attorney has spoken to the County Attorney and it would appear they have come to an agreeable solution for the CUP transfers.

### **F. IGA for Community Park with GCSD**

The IGA is in the final stages. The Town’s insurance said that they need to review a copy of the IGA and the policy would have to be modified accordingly. Once the changes are made there would be no additional cost to the town for liability coverage.

### **G. Report on new Construction Inspections by Willdan**

The Town Manager has sent Council Members a list of work projects and inspections done by Willdan.

### **H. Update on Action Items and Budget Spreadsheet**

The Accounting Consultant is going through the ledgers and will be adding an additional column to reflect actual expenses on approved action items.

### **I. Report on Audit and Finance Report**

Reported earlier in meeting

### **J. Report on Town Hall Modular (CMR)**

Council Member Rueter was thanked by the Town Manager and the Mayor for his invaluable assistance in completing the needed work on the office modular as well as beginning work on the parking lot. The electrical cabinet is coming and the building should be energized by Jan 14<sup>th</sup>. The carpet installation is on hold until then. The final plumbing connections should be completed by the end of next week.

### **K. Report on Snow Removal RFQ**

Two companies are interested in submitting proposals for snow removal. One wants to know more details on the scope of work. Currently, snow removal is covered by last year’s contractor.

### **L. Report on Holiday Decorations (CMM)**

The Mayor thanked all the volunteers who worked on the lights in the newspaper and he requested that a date be established for removal of lights so people can plan to help.

**M. Update on Council Retreat Planning**

Richard Bowers, Former City Manager in Scottsdale and ICMA and AZ League Advisor will be the facilitator at the Council Retreat and the meeting will be held at the Best Western in Williams, Az on Jan 11, 2012 from 8-5. Town Attorney Sims will be presenting on open meeting laws and ethics. The Council will be setting short and long term goals and setting priorities to deal with current issues.

Council Member Montoya asked in reference to Building Codes, why the Plaza Bonita remodel was not in violation of the permitting process since they had not yet obtained permits, according to the Willdan list. The Town Manager said that he spoke to the Lessee. The electrical permits have been requested and issued by Willdan and they -are waiting for information from the Lessee to pull the other permits. Town Manager met the inspector and he said that most of the work is minor, but he will forward some building concerns on to the Lessee and to the Town Manager via a letter and email.

**10. SET ADDITIONAL ACTION ITEMS FOR NEXT REGULAR MEETING**

Council Member Fitzgerald's seminar (MGB)  
Public Hearing for Casa Bonita's liquor license (MGB)  
P&Z Commission applications – set a deadline (CMR)  
IGA with School (CMM)  
IGA for judicial services with County (MGB)  
IGA for CUP services (MGB)

**11. SET ADDITIONAL DISCUSSION ITEMS FOR NEXT REGULAR MEETING**

Report on Retreat (VMM)  
Town Hall Modular update – construction & financials (CMR)  
Airport Housing update (CMR)  
Clarification on Lighting District (CMF)  
Zoning Workshop update (MGB)  
CUP Update (MGB)

**12. COUNCIL MEMBERS' REPORTS**

Council Member Montoya reminded everyone that the blood drive was from 10-3 on Jan 5, 2012 at the Grand Hotel and encouraged all to participate.

**13. MAYOR'S REPORT**

The Mayor reminded the Council of the importance to come prepared and with an open mind to the retreat. He recommended that all have some 6 month goals and some 12 month goals.

**14. MOTION TO ADJOURN INTO EXECUTIVE SESSION for the following purpose:**

The Council did not adjourn into executive session.

**15. ADJOURNMENT OF REGULAR COUNCIL MEETING**

Vice Mayor Maniaci moved to adjourn the meeting.  
Council Member Rueter seconded the motion. All were in favor.  
The meeting concluded at 8:42pm.

