

## **TUSAYAN TOWN COUNCIL REGULAR MEETING**

PURSUANT TO A.R.S. § 38-431.02 & §38-431.03

Wednesday, August 15, 2012 at 6:00 P.M.

TUSAYAN TOWN HALL

845 Mustang Drive, Tusayan Arizona

### **TOWN COUNCIL SUMMARIZED 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 MONTOYA**

**COUNCILMEMBER FITZGERALD - Excused**  
**COUNCILMEMBER SANDERSON**  
**COUNCILMEMBER RUETER**

Also Present:

Tami Ryall, Interim Town Manager  
Laura Matthews, Interim Town Clerk

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

Mike Pogue, CEO, Last Mile Research, told the Council that he has been searching for partners in order to bring broadband infrastructure to Tusayan for the last six months. On August 27, 2012, he and his partner, Com-Net, will begin stage one of a planned initiative to bring additional bandwidth to the area, beginning with the area hotels.

The first benefit of bringing fiber optic to the Town will be an increase to home and business values. Citizens will no longer be dependent on a single service provider, and with additional broadband, the community will also have additional television channels.

Users would "hop on the Town's highway" and pay a fee to use that highway.

In summary, Mr. Pogue stated that the Town could have the fastest internet on earth, right here in Tusayan, and within a relatively short period of time. Tusayan would have the freedom to choose providers and content. Because it is high volume usage, there will be competitive pricing, and it will increase property values

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

None.

## 5. CONSENT AGENDA

### A. Consideration and Possible Approval of Accounts Payable Billings.

Councilmember Rueter moved to approve the Consent Agenda, seconded by Vice Mayor Montoya. The motion passed on unanimous vote.

## 7. PUBLIC HEARING

### A. Consideration, discussion, and possible approval of a resolution adopting the "Town of Tusayan Final Budget for Fiscal Year 2012/13".

Interim Manager Ryall noted there have been no changes since the Council's adoption of the Preliminary Budget July 7, 2012. All legal requirements for posting, advertising, etc., have been complied with.

Mayor Bryan opened the public hearing, there being no public participation, the public hearing was closed.

Councilmember Rueter moved to approve Resolution 2012-05 adopting and declaring as a public record the Town of Tusayan Final Budget for Fiscal Year 2012/13. The motion was seconded by Vice Mayor Montoya and passed on unanimous vote.

## 8. ACTION ITEMS

### A. Consideration, discussion, and possible reaffirmation of financial commitment by the Town to the Tusayan Community Park Project.

Town Manager Ryall reported that bids have been opened by the Tusayan School District. Ms. Ryall reviewed with the Council a handout from Andrew Aldaz, Project Manager, with a breakdown of the costs associated with specific aspects of the park project.

Mayor Bryan read a statement from former Mayor, Pete Shearer, stating his support of the Town Council – Grand Canyon School District partnership in the construction of a community park.

Councilmember Rueter moved to reaffirm financial participation by the Town of Tusayan for the Tusayan Community Park not to exceed \$275,000 for Fiscal Year 2012/13. Town funding is contingent on the following being included in the construction package:

- \$141,016 for construction of a sports court and site improvements
- \$54,400 for power and lighting
- \$57,850 for fencing
- \$27,000 for architect fees
- \$7,500 for project management
- \$27,800 for concrete ABC base course and earthwork for the tot lot (does not include play equipment)
- \$24,700, and any additional funds raised through private donations, for site preparation and grading for the special event ramada

Payment shall be made by the Town in monthly progress payments within 10 days after receiving a request from the School District for work performed during the previous 30-day period. Any change orders in scope shall require approval of both the School District and Town designated representatives.

The motion was seconded by Vice Mayor Montoya.

Michael Taylor, Taylor Architects, explained that "tot lot complete" means fencing around the tot lot, concrete curbing to surround two future pieces of play equipment and a relocated swing set, the grading, compacted ABC, wood-chip fall protection, and two handicapped ramps access into the fall protection area.

Councilmember Sanderson questioned setting up the foundations of a ramada and a tot lot, with neither of them being usable. He suggested moving some of the tot lot money to finish the ramada, so at least something would be usable. During discussion, it was noted that the tot lot would have to be reduced in scope in order to accomplish the above, and there was no support for that solution.

Council agreed that the Town Manager would review invoices and authorize payments on the project.

A donation from the Red Feather Lodge in the amount of \$25,000 is reserved for the ramada project. The Rotary's commitment of \$10,000 is also reserved for the ramada. The Squire Inn has committed \$25,000 for the tot lot equipment during the next phase.

For clarification, all power and lighting will be provided by the contractor.

The motion as read by Councilmember Rueter passed on unanimous vote.

**B. Consideration, discussion, and possible approval of a resolution and ordinance establishing Council/Manager Form of Governance.**

Interim Manager Ryall highlighted some of the Town Manager's responsibilities and authority under the Council/Manager Form of Governance, such as; 1) hiring and firing of employees; 2) upholding ordinances and making sure the Town complies with laws; 3) bringing an annual budget to the Council for adoption; and, 4) investigating complaints.

Mayor Bryan asked that the prior ordinance on this matter be rescinded. Doing so at the same time as the ordinance updates with the Municipal Code process is acceptable.

Councilmember Rueter moved to adopt Ordinance 2012-06 adopting the Council/Manager Form of Governance, and Resolution 2012-06 declaring it a public record. The motion was seconded by Vice Mayor Montoya and passed on unanimous vote.

**C. Consideration, discussion, and possible acceptance of escrow instructions for dedication of 40 acres to the Town of Tusayan from the Stilo Group.**

Ms. Ryall explained that the escrow instructions relate to the dedication of the property associated with the development agreement from the Stilo Group. It prescribes the

method by which the parcels shall be surveyed, the environmental clearances needed, and the method by which the Town would take possession.

On page 1, the document establishes a dollar value for the parcels at 10 million dollars. Manager Ryall noted she will ask the Town's Attorney to request that the dollar amount be changed to fair market value. When the parcels are being surveyed, it has been agreed to place markers at all corners so the area will be readily identifiable to the public, to Town Staff, and to the Town Council.

The environmental documents include a valuation of both the cultural and archeological conditions of the property to see if there are any sites of significance.

Clarinda Vail, resident, asked if the exhibits (deeds) to the escrow instructions were available for public inspection at this time. Manager Ryall stated that she received them late in the afternoon before the meeting and had not been able to reproduce for the public. Ms. Vail believed that they were a key piece of the documents and requested that the Council postpone their consideration of the item until their next meeting when the exhibits will be available.

Councilmember Rueter recused himself from discussion and vote on this item due to his employment with Camper Village.

Upon questions from the Council regarding the exhibits, Manager Ryall clarified that the matter before the Council is escrow instructions only and the Council is not approving or accepting the dedication at this point. This action negotiates what has to be done, and the sequence of events, before the dedication can come before the Council for consideration.

Vice Mayor Montoya moved to accept the escrow instructions, with the revision explained by the Town Manager regarding 10 million dollars valuation being changed to fair market value, and the valuation of both the cultural and archeological conditions of the property being unknown at this point, and that the corners of the parcels be clearly marked. The motion was seconded by Councilmember Sanderson.

Mayor Bryan noted the timelines in the escrow instructions. Once the legal descriptions and surveys are complete, Staff has a certain amount of time to evaluate and decide if each parcel meets the Town's needs. The Town then has the ability to reject parcels and choose others. At the appropriate time, the Council will be required to knowingly and cognitively decide to accept or reject the parcels.

The motion passed on unanimous vote.

Councilmember Rueter returned to the meeting.

**D. Consideration, discussion, and possible action on participation in the Arizona State Retirement System.**

Interim Manager Ryall stated she has no new information on this item.

Councilmember Rueter moved to table the item. The motion was seconded Councilmember Sanderson and passed on unanimous vote.

## 9. DISCUSSION ITEMS

### A. Discussion of process for development of a five-year Capital Improvement Program (CIP) for the Town of Tusayan.

The Interim Manager recommended that the Council move forward during the "budget off-season" to develop a small CIP program to plan for strategic capital items for the next five years. Citizens and others have brought to her attention the need to invest in fiber optics and to increase internet access in the community. Some would like to see additional support given to the Tusayan Community Park, and others would like a parking lot and sidewalks added to the Town Hall employee-housing project. She asked for direction from the Council regarding a CIP process.

After discussion, Council requested an educational workshop for themselves to explore such issues as; 1) how to rate priorities; 2) how to forecast the length of projects; 3) what projects have potential grant funding by State or Federal programs; 4) what projects would be funded solely by the Town; and, 5) what items is a Town responsible to provide to their community. They would like to explore the full gamut of possibilities for the future.

After this learning process, the public would be solicited for public workshops to help form a consciousness of where the community wants to be in five years.

There was consensus to hold the educational workshop at one of the lighter Municipal Code Workshops in October or November. The Manager noted that there is ample time to complete this process prior to entering next year's budget process.

### B. Discussion on recruitment of a permanent Town Manager and Town Clerk.

Mayor Bryan opened the discussion by commenting that the Council may want to consider one or the other of the positions becoming full-time with the recruitment of permanent staff. The Council has many goals, and additional staff hours may be desired.

Council agreed that it was important to expedite the employee housing project in order to enhance recruitment efforts. There was also agreement to hire the Town Clerk position first and to uphold the Interim Town Manager's authority to make the hire. The Mayor should work with Arizona League of Cities and Towns to pursue filling the Town Manager position.

Some members of the Council expressed their desire to make the Town Clerk position a full-time job, and to maintain full-time hours at the Town Hall building. In discussing characteristics for the successful candidates for both positions, Council would like permanent staff to be able to make a commitment to live in and be a part of the community, allowing for flexibility until housing is available.

Council desires:

- Town Hall to be open 5 days a week but is open to staff working 4 tens with overlapping schedules.
- Town Manager and Clerk should become residents of the town.
- What can we legally require?

Qualities desired in town Manager:

- Efficiency
- Task-oriented
- Communicative
- Willingness to work with the public
- Need job description, so Interim Town Manager will get one from another small town.

Clerk position should be advertised as soon as possible. Interim Town Manager may choose to include help from other City Clerks in the hiring process. The Town Manager will be in charge of the hiring process for Clerk.

## **10. TOWN MANAGER'S REPORT**

Manager will pick up a few shovels to paint gold for a ground-breaking ceremony for the Community Park. Would also like to have a ribbon-cutting ceremony with ADOT to celebrate the completion of the Highway 64 project.

Employee Housing project is on or ahead of schedule. We'll have pricing from 6 companies for the site work by August 31<sup>st</sup>.

## **11. FUTURE AGENDA ITEMS**

- **Public hearing on zoning code on the 28<sup>th</sup> and Zoning 101 training for new members**
- **1<sup>st</sup> Workshop on the Municipal Code on September 4<sup>th</sup>**
- **September 5<sup>th</sup>**
  - o **Flood Management Presentation**
  - o **Housing Financing presentation**
  - o **Resolution for the Town to join NACOG**
  - o **Participation in the state retirement system**
- **September 19<sup>th</sup>**
  - o **Contract extension with International Housing Solutions**
- **October 3<sup>rd</sup>**
  - o **Outline of development of Public Housing Authority**
- **October 2nd workshop on the municipal code**

## **12. COUNCILMEMBERS' REPORTS**

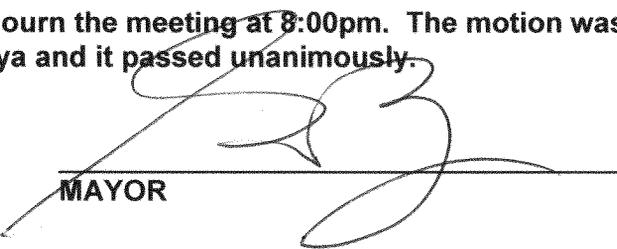
None

## **12. MAYOR'S REPORT**

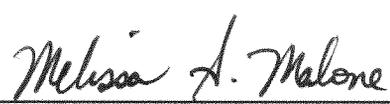
- Mayor and Manager attended presentation on Aerial Fiber Optics on the Navajo Nation
- The town will be responsible for management of the sports court
- The town will also be responsible for the ADOT landscaping in one year or August 1, 2012
- Mayor will not be able to attend the September 19<sup>th</sup> meeting

**13. MOTION TO ADJOURN**

Council Member Reuter moved to adjourn the meeting at 8:00pm. The motion was seconded by Council Member Montoya and it passed unanimously.

  
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MAYOR

ATTEST:

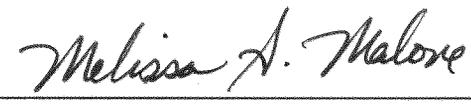
  
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TOWN CLERK

**CERTIFICATION**

State of Arizona        )  
                                  ) ss.  
Coconino County        )

I, Melissa A. Malone, do hereby certify that I am the Interim Town Clerk of the Town of Tusayan, County of Coconino, State of Arizona, and that the above minutes are a true and correct summary of the meeting of the Council of the Town of Tusayan held on August 15, 2012. I further certify that the meeting was duly called and held, and that a quorum was present.

DATED this 6<sup>th</sup> day of November, 2012.

  
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TOWN CLERK