

FINAL

TUSAYAN TOWN COUNCIL REGULAR MEETING

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

Wednesday, February 1, 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

The Mayor opened the meeting 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 – absent

COUNCILMEMBER MONTOYA

COUNCILMEMBER RUETER

COUNCILMEMBER FITZGERALD

Also present: Town Manager Ochoa
Town Clerk Sutton
Assistant Clerk Garver

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

No public comments were made.

4. CEREMONIAL AND INFORMATIONAL MATTERS

No ceremonial or informational matters were presented.

5. CONSENT AGENDA

A. Consideration and possible approval of Administrative/Treasurer's Report

i. Approval of the Payment of Bills

Council Member Montoya moved to approve the payment of bills as presented.

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

ii. Approval of Minutes

a) January 18, 2012 Regular Meeting

Council Member Montoya moved to approve the minutes as presented.

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

6. COMMITTEE REPORTS

No committee reports were presented.

7. ACTION ITEMS

A. Consideration, discussion and possible approval of authorization for Mayor and Town Manager to represent, in writing and/or in person positions regarding legislation being considered that will impact the Town of Tusayan and municipalities in Arizona.

Mayor Bryan said that there was a lot of activity happening quickly at the Legislature and that the Town needed to sometimes respond prior to the regular Council meetings. Council Member Rueter wanted for the Council to have an opportunity to comment.

Council Member Montoya moved to approve authorization for the Mayor and Town Manager to represent, in writing or in person, positions regarding legislation that will impact the Town of Tusayan.

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

B. Consideration, discussion and possible approval of the appointment of applicants to the Town of Tusayan Planning and Zoning Commission.

Council Member Montoya moved to approve the appointment of the four applicants, Sandi Angat, ClayAnn Cook, Robert Gossard and Charles Townsend, to the Town of Tusayan Planning and Zoning Commission.

Council Member Rueter seconded the motion.

Council Member Rueter moved to amend the motion to approve the appointment of the four applicants to a two year term. The fifth applicant, if approved, would serve the same two year term.

Council Member Montoya seconded the motion. Council Member Montoya, Rueter and Fitzgerald voted in favor. Mayor Bryan voted against. Motion passed.

Council voted for the 1st motion to approve the four applicants. All were in favor. The motion passed.

The applicants will be sworn in on Feb 8, 2012 and invited to join the Council in review of the P&Z ordinances.

C. Consideration, discussion and possible approval of the appointment of applicants to the Town of Tusayan Board of Adjustments.

No action taken

D. Consideration, discussion and possible approval of Holidays to be recognized and celebrated by the Town of Tusayan during year 2012 and to fulfill the provisions of the Town Manager's Contract.

Council Member Montoya moved to approve of Holidays to be recognized and celebrated by the Town of Tusayan and to fulfill the provisions of the Town Manager's contract.

Council Member Fitzgerald seconded the motion.

Council Member Fitzgerald moved to amend the motion to eliminate Columbus Day as a Holiday and to recognize the day after Thanksgiving as a Holiday. Council Member Montoya seconded the motion. All were in favor. The motion passed.

The Council voted on the 1st motion to recognize the 10 holidays. All were in favor. The motion passed

8. DISCUSSION ITEMS

- A. Zoning Code and Design Review Overlay Revision Workshop Update Plan and Timeline for Adoption**

The meeting is scheduled for Feb 8. The Council should be able to finish and forward it on to the new P&Z Commission and begin the DOR review.
- B. Council Policies and Procedures Workshop, Plan and Timeline**

The Council is to forward any recommended changes to the Town Manager. Those thoughts plus any legal changes will be incorporated into them and discussed at the next regular Council meeting.
- C. Town Attorney re Arizona Corporation Commission Hearings**

The Town Attorney is working through the process but it is not finalized. He will report back when there is a resolution.
- D. Liquor License Process and Procedures Plan**

Attorney Huellmantel has written a letter that will go to the Liquor Board. He is preparing a form to go on the Town website. The Town has received another application and he will advise the Town on the next steps at no additional cost.
- E. IGA for Judicial Services with Coconino County**

Legal counsel shared with the Town Manager that the indemnification language did not do what the County wanted and so it needed to be rewritten and approved. It also indicates that Tusayan would be working towards getting a judicial court going within a year.
- F. Escrow Agreement with Stilo Group USA for the Property Transfer of 40 Acres**

Stilo has opened an escrow account and is putting the transfer of the property to the Town of Tusayan in a title with 20 acres at Kotzin and 20 acres at Ten X Ranch to be set aside for the Town per the development agreement. The referendum, if voted against, would eliminate the 40 acres.
- G. Process to fill the vacancy after resignation of Council Member**

Vice Mayor Maniaci gave her resignation on January 30, 2012. The Town Attorney will need to clarify how to fill the position.

9. TOWN MANAGER'S REPORT

- A. Community Activities**

The City of Sedona Representatives will be visiting and meeting on Feb 6 at 10:30 at the Squire in order to discuss lighting district changes that they want to make with ADOT to their highway project and want Tusayan's assistance. It was suggested that Council Member Montoya and ClayAnn Cook join the Town Manager as they had worked on Tusayan's lighting project.
- B. Professional Activities**

The Arizona City/County Manager's Association Winter Conference is in Sedona, Feb 1-3, 2012
Model Tax City Code and Tax Policy for Cities and Town is in Phoenix, February 9, 2012

Government Financial Officers Association is in Prescott, February 15-17, 2012

National League of Cities Congressional Cities Conference is in Washington, DC, March 10-14

Open Meeting Law with the General Council of the AZ League and our own Town Attorney Bill Sims is in Phoenix, March 8

C. Cemetery Services for the Town of Tusayan via the County

The Town Manager was waiting for a return call from Rudy Thomas, Executive Director at the Arizona Funeral Board.

D. Report on CUP transfer from Coconino County to Town of Tusayan

The Town Manager will be meeting with Mr. Turner and the County to identify what CUP's are a priority to transfer first. Zoning and Building permits need to be discussed as well.

E. Airport Property Rental for Town Employee Housing Plan

John Nichols will be talking to the Mayor about rental costs.

F. Town Hall Modular and Parking Lot Progress

The electricity is being transferred at this moment. Feb.15 is the goal for having the first Town Council meeting in the new office. The total cost and expenditures to date is \$373,000. The Town Manager is working on several items: Externally we are working on constructing cement around area of the modular, construction of handicap parking areas, ramp and access, landscaping, lighting to meet the night sky ordinance;, Internally, the carpenter is re-designing and will be building the dais and tables, the office areas have been measured to re-order desks and chairs, electronic amplification and sound & recording system are being researched (Judge Sutton has a recording system donated by Fredonia), furniture alternatives, computer quotes, copier (the company that is used by Airport Administrator is being contacted) file cabinets and book shelves are being ordered and supplies will be ordered. The projected costs for internal amenities and supplies is approximately \$65,000 and we have \$25 budgeted for the Court, \$15,000 for a computer system, \$15,000 for other supplies, and other line items to cover these purchases. Council Member Rueter strongly recommends the building be used as a multi-use facility.

G. Lighting District Update

The lighting district covers the length of Highway 64, 150 feet from center line on each side. Each partial owner is charged an assessment fee which pays for the lighting. The County is the administrator of it. The Council needs to continue discussion on whether the district is expanded, disbanded or leave as is. The new lighting was given to APS and they are responsible for repairs and maintenance.

10. SET ADDITIONAL ACTION ITEMS FOR NEXT REGULAR MEETING

Filling Vacancy – GM

Legislation – GM

P&Z appointment – CJR

IGA for Judicial - CAM

11. SET ADDITIONAL DISCUSSION ITEMS FOR NEXT REGULAR MEETING

Policy and Procedures – GM

Update on Zoning Code Workshop & DRO – CJR

Broadband inquiries from AT&T/C-Link – GM

Board of Adjustments – CAM
Budget Process – CBF
Liquor License Process, Procedures and Forms – TMEMO
Spring Activities at New City Park – GM

12. COUNCIL MEMBERS' REPORTS

Council Member Fitzgerald reported on the conference on municipality finances. Many of the changes will be taking place as early as 2013. Council Member Montoya said the phones at the office were not working and that he noticed the snow removal contractor did a good job last time it snowed. Town Manager informed the Council that electricity and telephone services are being transferred to the new building and that may be the cause for no telephone service. He was assured that the telephone lines would be operational at both locations for a week to ten days.

13. MAYOR'S REPORT

The Mayor will be attending a NACOG meeting on 2/2/12. The GAMMA meeting is on 2/10 in Phoenix. During the last legislative call, the following bills were a concern:
S1288 – would eliminate the fee charge of the ADWR
H2498 – would continue the fee charge for another 2 years.
H2466 – Local sales tax option – could affect Tusayan in collecting TPT taxes in the future.
HB2168 – cities required to self-certify all city permits over 100,000
HB2468 – citizens allowed to challenge all govt. regulations
HB2361 – restore the ability to regulate sale

14. MOTION TO ADJOURN INTO EXECUTIVE SESSION for the following purpose:
The Council did not adjourn into executive session.

16. MOTION TO ADJOURN

Council Member Montoya moved to adjourn the meeting.
Council Member Rueter seconded the motion. All were in favor. Motion passed.
The meeting adjourned at 7:55pm.

ATTEST: On this date, February _____, 2012.

Enrique Medina Ochoa, Town Manager

Greg Bryan, Town Mayor

Bill Sutton, Town Clerk