

## AGENDA

### TUSAYAN TOWN COUNCIL REGULAR MEETING

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

Wednesday, December 16, 2015 at 6:00pm

TUSAYAN TOWN HALL BUILDING

845 Mustang Drive, Tusayan Arizona

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Tusayan Town Council and to the general public that the Tusayan Town Council will hold a meeting open to the public on Wednesday, December 16, 2015 at the Tusayan Town Hall Building. If authorized by a majority vote of the Tusayan Town Council, an executive session may be held immediately after the vote and will not be open to the public. The Council may vote to go into executive session pursuant to A.R.S. § 38-431.03.A.3 and A.4 for legal advice concerning any matter on the agenda, including those items set forth in the consent and regular agenda sections. The Town Council may change, in its discussion, the order in which any agenda items are discussed during the course of the meeting.

Persons with a disability may request a reasonable accommodation by contacting the Town Manager at (928) 638-9909 as soon as possible.

As a reminder, if you are carrying a cell phone, electronic pager, computer, two-way radio, or other sound device, we ask that you silence it at this time to minimize disruption of today's meeting.

### TOWN COUNCIL REGULAR MEETING AGENDA

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

#### 2. ROLL CALL

*One or two Council Members may attend by telephone*

**MAYOR GREG BRYAN**

**VICE MAYOR CRAIG SANDERSON**

**COUNCILMEMBER AL MONTOYA**

**COUNCILMEMBER JOHN RUETER**

**COUNCILMEMBER JOHN SCHOPPMANN**

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

*Members of the public may address the Council on items not on the printed agenda. The Council may not discuss, consider or act upon any matter raised during public comment. Comments will be limited to three minutes per person.*

*Members of the audience who wish to speak to the Council on an item listed as Public Hearing should complete a Request to Speak Card and turn it into the Town Clerk. Speakers will be limited to three minutes each.*

#### 4. CEREMONIAL AND/OR INFORMATIONAL MATTERS

**Town Manager presentation**

#### 5. CONSENT AGENDA

*Items on the consent agenda are routine in nature and will be acted on with one motion and one vote. Members of the council or staff may ask the mayor to remove any item from the consent agenda to be discussed and acted upon separately.*

**A. Minutes of the Town Council Regular Meetings 11/18/15 and 12/2/15**

**B. Accounts Payable Billings**

#### 6. WORK GROUP AND COMMITTEE REPORTS

**A. Update on the Sports Complex Work Group**

**B. Update on the Planning and Zoning Commission**

**C. Update on Affordable Housing**

**7. ACTION ITEM**

**Consideration, discussion, and possible approval of Mayor transition process and Council assignments**

**8. DISCUSSION ITEM**

**Discussion of the January 2016 Town Council Retreat**

**9. TOWN MANAGER'S REPORT**

**10. FUTURE AGENDA ITEMS**

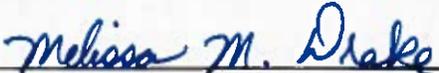
**11. COUNCIL MEMBERS' REPORTS**

**12. MAYOR'S REPORT**

**13. MOTION TO ADJOURN**

**CERTIFICATION OF POSTING OF NOTICE**

The undersigned hereby certifies that a copy of the foregoing notice was duly posted at the General Store in Tusayan, Arizona on this 14th day of December, 2015, at 2:23 pm in accordance with the statement filed by the Tusayan Town Council.

  
Signature of person posting the agenda

**ITEM NO. 5A**

## **TUSAYAN TOWN COUNCIL REGULAR MEETING**

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

Wednesday, December 2, 2015 at 6:00pm

TUSAYAN TOWN HALL BUILDING

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 6:04pm and the Pledge of Allegiance was recited.

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

**MAYOR GREG BRYAN  
VICE MAYOR CRAIG SANDERSON  
COUNCILMEMBER AL MONTOYA  
COUNCILMEMBER JOHN RUETER  
COUNCILMEMBER JOHN SCHOPPMANN**

Also present were: Eric Duthie, Town Manager  
Melissa M. Drake, Town Clerk

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

None

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

None

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

##### **Accounts Payable Billings**

Councilmember Montoya made a motion to approve the Consent Agenda. Councilmember Rueter seconded the motion and it was approved on unanimous vote.

**Mayor Bryan moved to Item No. 7**

#### **7. PUBLIC HEARING ON LIQUOR LICENSE APPLICATION FOR WAGON WHEEL WINERY**

Ann and Louie Serna presented information to the Council regarding their vineyard located in Williams and their intent to sell the wine wholesale at the Canyon Plaza Resort. Ms. Serna stated that having a winery was her father's dream.

Mayor Bryan opened the Public Hearing on the Wagon Wheel Winery liquor license application and asked for comments from the public. There were no public comments so he closed the Public Hearing.

**Mayor Bryan moved to Item No. 8.A.**

**8.A. Consideration, discussion, and possible approval of liquor license application for Wagon Wheel**

Councilmember Montoya noted that the application to the Town did not list the physical address and that should be added to the application.

The Council asked the applicants about their business plans and they described their plan to sell their wine (wholesale) at Canyon Plaza.

Councilmember Rueter made a motion to recommend approval of this liquor license application to the state. Councilmember Montoya seconded the motion and it passed on unanimous vote.

**6. WORKGROUP AND COMMITTEE REPORTS**

**A. Update on the Sports Complex Work Group**

None

**B. Update from the Planning and Zoning Commission**

The Commission met yesterday and there was discussion about the revised Zoning Code.

**C. Update on Affordable Housing**

Item 8. E. will cover this topic.

**7. PUBLIC HEARING ON LIQUOR LICENSE APPLICATION FOR WAGON WHEEL WINERY**

This item was covered earlier in the meeting.

**8. ACTION ITEMS**

**A. Consideration, discussion, and possible approval of liquor license application for Wagon Wheel**

This item was covered earlier in the meeting.

**B. Consideration, discussion, and possible approval of Town of Tusayan Fiscal Policy (revised on direction of Council from 11/18/15)**

Manager Duthie noted the changes to the document which were requested by the Council on 11/18/15. He also clarified with the Council their intent with a few of the changes.

Councilmember Rueter made a motion to approve the Town of Tusayan Fiscal Policy with the changes noted. Mayor Bryan seconded the motion and it passed on unanimous vote.

**C. Consideration, discussion, and possible approval of renewal of Certificates of Deposit (CDs)**

Manager Duthie noted that 2 CDs are maturing in December and recommended reinvesting one of them until 2016 (12 months) and the second one until 2018 (36 months) to create a staggered maturity for the Town's CDs. This would mean that, annually, the Town will have access to at least \$1,000,000 from its CD investments.

Vice Mayor Sanderson made a motion to approve the renewal of CDs as proposed by Manager Duthie. Councilmember Rueter seconded the motion. Mayor Bryan requested that Manager Duthie determine if the second CD could be invested for 30 months instead of 36 months. Vice Mayor Sanderson amended his motion for allow for investment for 30-36 months. Councilmember Rueter agreed to amend his second of the motion to match the Vice Mayor's amendment. The motion passed on unanimous vote.

**D. Consideration, discussion, and possible approval of investing in new Certificates of Deposit**

Manager Duthie requested the Council table this item for now. The Council took no action.

**Mayor Bryan moved to Item 9.A.**

**9. DISCUSSION ITEMS**

**A. Discussion of the Grand Canyon National Park shuttle service meeting**

Mayor Bryan gave a summary of his discussion with Pamela Edwards at Grand Canyon National Park regarding the shuttle service to Tusayan. He noted that there was a 64% increase in ridership from Tusayan this summer. He also discussed his wishes to extend the season of shuttle service to Tusayan. He stated that Ms. Edwards noted the cost of \$60,000 to extend the season for one month.

Councilmember Rueter requested the shuttle start on May 6, 2016 and end on October 9, 2016. Staff will work with Grand Canyon National Park to develop an IGA and bring it back to Council for approval.

Councilmember Rueter thanked the Park Service for working on this and Mayor Bryan thanked Ms. Edwards specifically for her efforts to increase ridership from Tusayan.

**10. TOWN MANAGER'S REPORT**

Manager Duthie covered several topics including the following:

- Sports Complex restrooms are scheduled to be delivered on December 18, 2015
- the Town was granted a 6 month extension to the CDBG project
- the Kotzin Ranch Survey has been sent out and we have been receiving some back

- the State and FEMA are reviewing the Coconino County Hazard Mitigation Plan
- we have received the community service sign for the Rotary and will have it up soon
- holiday lights are up in Town

## **11. COUNCIL MEMBERS' REPORTS**

None

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

Mayor Bryan announced that he will be resigning as of December 31, 2015. He will be moving out of state to spend more time with his family.

**Mayor Bryan moved back to Item 8.E.**

### **8.E. Consideration, discussion, and possible approval of Tusayan Housing Authority concept, a related nonprofit corporation, and related issues concerning the Kotzin Ranch Development**

**The Town Council may decide to go into executive session pursuant to A.R.S. § 38-431.03.A.3 and A.4 for legal advice from, and to consult with, the Town Attorney concerning the possible creation of the Tusayan Housing Authority, the creation of a related nonprofit corporation, and related issues concerning the Kotzin Ranch Development.**

Councilmember Rueter made a motion to take the Council into executive session at 7:10pm. Vice Mayor Sanderson seconded the motion and it passed on unanimous vote.

The Council discussed this topic with the Town Attorneys.

Vice Mayor Sanderson made a motion to exit the executive session at 8:42pm. Councilmember Montoya seconded the motion and it passed on unanimous vote.

Mayor Bryan stated that the Town Attorneys will continue to work out details of the Tusayan Housing Authority and the related nonprofit corporation.

**Mayor Bryan moved to Item 9.B.**

### **9.B. Discussion of the January 2016 Town Council Retreat**

Manager Duthie requested topics for the retreat from the Council and they suggested the following:

- short term projects to benefit residents (such as alternative energy projects)
- trails system
- broadband update
- snowplay area
- Sports Complex planning and timeline
- update on detention basins and flood study
- discussions with the Town attorney
- update on election procedures and timeline (also at a regular meeting)



**ITEM NO. 7**

**TOWN OF TUSAYAN, ARIZONA**

**ORDINANCE NO. 2015-01**

**AN ORDINANCE OF THE TOWN OF TUSAYAN, COCONINO COUNTY,  
ARIZONA, ADOPTING BY REFERENCE CHAPTER 2 OF THE TOWN  
CODE**

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**WHEREAS**, the qualified electors of the Town of Tusayan passed Proposition 407 (the “**Initiative**”) at the general election held on November 4, 2014 and canvassed by the Town Council on November 19, 2014;

**WHEREAS**, Article 4, Part 1, Section 1, Paragraph 6.C of the Arizona Constitution allows the Town Council to amend the terms of the Initiative if such amendment is voted in the affirmative by at least four Town Council members and if the amendment furthers the purpose of the Initiative

**WHEREAS**, the Initiative provides:

1. **OFFICE OF MAYOR.**
  - A. **ELECTION. BEGINNING WITH THE FIRST REGULAR ELECTION FOR TOWN COUNCIL AFTER THE PASSAGE OF THIS MEASURE OR AT A SPECIAL ELECTION THAT SHALL BE CALLED IN THE EVENT OF A VACANCY ON THE COUNCIL, WHICHEVER OCCURS FIRST, THE MAYOR OF THE TOWN OF TUSAYAN SHALL BE DIRECTLY ELECTED BY THE QUALIFIED ELECTORS OF THE TOWN.**
  - B. **TERM. THE TERM OF OFFICE OF THE MAYOR SHALL BE TWO (2) YEARS OR UNTIL A SUCCESSOR IS ELECTED AND SWORN-IN.**
  - C. **LIMITATION ON FILING FOR ELECTION BY INCUMBENT. EXCEPT DURING THE FINAL YEAR OF THE TERM BEING SERVED, AN INCUMBENT COUNCIL MEMBER MAY NOT FILE FOR ELECTION FOR THE OFFICE OF MAYOR UNLESS THE INCUMBENT FORMALLY RESIGNS FROM ELECTED OFFICE. ONCE AN INCUMBENT FORMALLY RESIGNS FROM ELECTED OFFICE, THE OFFICE IS DECLARED VACANT.**
  - D. **LIMITATION ON RUNNING FOR MULTIPLE OFFICES. A PERSON MAY NOT RUN FOR TOWN COUNCIL AND THE OFFICE OF MAYOR AT THE SAME TIME.**

**WHEREAS**, the Town Council hereby finds that adopting Chapter 2 of the Town Code furthers the purpose of the Initiative.

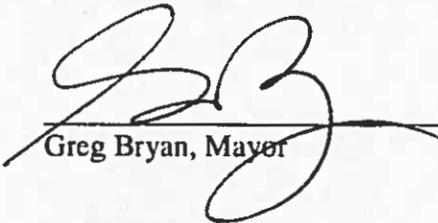
Section 1. Adoption by Reference. Pursuant to A.R.S. § 9-802 (as amended) the Town hereby adopts Chapter 2 of the Town Code that is declared a public record pursuant to Resolution No. 2015-01 and is attached hereto.

Section 2. Effective Date. This Ordinance is to be effective when publication and posting pursuant to A.R.S. § 9-812 is accomplished.

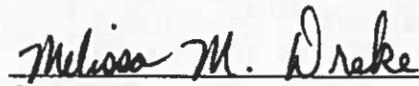
Section 3. Copies of Chapter 2 of the Town Code. At least three (3) copies of Chapter 2 of the Town Code, and any future amendments or revisions, shall be kept on file in the office of the Town Clerk and on the Town website for public access. Additional copies may be purchased by the public. Copies placed for public access shall be readily available for public inspection during normal working hours.

Section 4. Severability. All ordinances, or parts of ordinances, adopted by the Town of Tusayan in conflict with provisions of this ordinance or any part of the Town Code adopted herein by reference, are hereby repealed, effective as of the day this ordinance is effective.

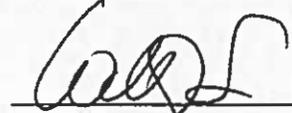
**PASSED AND ADOPTED** by 5 members of the Council of the Town of Tusayan, on March 4, 2015, to be effective when publication and posting, pursuant to A.R.S. § 9-812, is completed.

  
\_\_\_\_\_  
Greg Bryan, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Melissa M. Drake  
Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Town Attorney

**TOWN OF TUSAYAN, ARIZONA**

**RESOLUTION NO. 2015-01**

**A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF TUSAYAN, DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT FILED WITH THE TOWN CLERK ENTITLED "CHAPTER 2 OF THE TOWN CODE."**

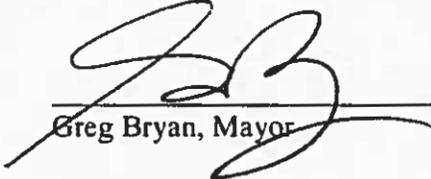
**WHEREAS**, that certain document entitled "Chapter 2 of the Town Code", attached hereto, three copies of which shall be filed in the office of the Town Clerk pursuant to this Resolution and have been ordered to remain on file with the Town Clerk

**WHEREAS**, ARS§ 9-802 permits the enactment and publication by reference of a code or public record, including statute, rule or regulation of the municipality, in the interest of economy, and

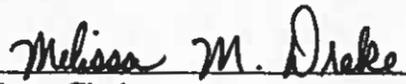
**WHEREAS**, the document entitled "Chapter 2 of Town Code" is a lengthy ordinance to be adopted by Ordinance 2015-01, and which would qualify for enactment by reference.

**NOW THEREFORE, THE MAYOR AND COMMON COUNCIL OF THE TOWN OF TUSAYAN HEREBY DECLARE THAT THE DOCUMENT ENTITLED "CHAPTER 2 OF THE TOWN CODE" IS HEREBY DELCARED A PUBLIC RECORD FOR THE PURPOSE OF ADOPTION BY REFERENCE PURSUANT TO ORDINANCE 2015-01, AND ORDER THAT THREE (3) COPIES OF THE ORDINANCE BE PERMANENTLY FILED IN THE OFFICE OF TOWN CLERK AND AVAILABLE FOR PUBLIC INSPECTION**

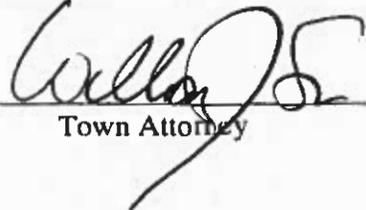
**PASSED AND ADOPTED** by the Mayor and Town Council of the Town of Tusayan, Arizona this 4<sup>th</sup> day of March -, 2015.

  
\_\_\_\_\_  
Greg Bryan, Mayor

ATTEST:

  
\_\_\_\_\_  
Town Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Town Attorney

## **CHAPTER 2 COUNCIL AND MAYOR**

### **Article 1 Council**

### **Article 2 Mayor**

### **Article 3 Council Procedures**

### **Article 4 Ordinances, Resolutions and Contracts**

#### **Article 1 Council**

##### **2.1.1 Elected Officers**

##### **2.1.2 Corporate Powers**

##### **2.1.3 Assumption of Office**

##### **2.1.4 Oath of Office**

##### **2.1.5 Vacancies in Council**

#### **Section 2.1.1 Elected Officers**

- a. The elected officers of the Town shall be five (5) Council members one of whom shall be elected as Mayor in accordance with article 2 of this chapter. The Mayor and Council members shall constitute the Town Council and shall continue in office until assumption of duties of office by their duly elected successors.
- b. The term of office of each Council member, other than the Mayor, shall be four years or until a successor is elected and sworn in except that a term may be shortened to two years for the initial term of a newly elected Council member in order to maintain the staggered terms required by Section 2.1.1.d below. Any Council member elected to a two year term to preserve the staggered terms of the Council shall have a four year term thereafter if reelected.
- c. The term of the office of Mayor shall be two years or until a successor is elected and sworn in.
- d. Council members other than the Mayor shall serve four-year staggered terms as provided by ARS § 9-232.02, as may be amended, with two (2) members in one class and two (2) in the other class.

#### **Section 2.1.2 Corporate Powers**

The corporate powers of the Town shall be vested in the Council and shall be exercised only as directed or authorized by law. All powers of the Council shall be exercised by ordinance, resolution, order or motion.

### **Section 2.1.3 Assumption of Office**

Members of the Council (including the Mayor) shall assume the duties of office at the first Council meeting following the canvass of the election at which the Council members and Mayor were elected. If (i) a Council candidate receives a majority of all votes cast (as determined by Section 3.2.1 of their Code) at a primary election, or (ii) a candidate for Mayor shall receive a majority of votes cast for the office of Mayor, such candidate shall be declared elected to the office, but effective as of the date of the general election, to be seated as set forth herein.

### **Section 2.1.4 Oath of Office**

Immediately before assumption of the duties of office, each Council member including the Mayor shall, in public, take and subscribe to the oath of office.

### **Section 2.1.5 Vacancies in Council**

- a. The office of any Council member (including the Mayor) is deemed vacant pursuant to ARS § 38-291, as may be amended.
- b. The Council shall fill by appointment for the unexpired term any vacancy on the Council (excluding the appointment of a person to fill a Council member vacancy created as a result of the Vice Mayor's assumption of the duties and responsibilities of the office of Mayor which is governed by Section 2.2.2a below, and excluding the appointment of a person to assume the duties and responsibilities of the office of Mayor which is governed by Section 2.2.2.b below) within 60 days, unless the vacancy occurs more than thirty days before the nomination petition deadline for the next election at which voters may elect a candidate to fill the vacant position. A person who has been elected to fill the remainder of an unexpired term of a vacant office may take the oath of office and begin the remainder of the term of office at any time after the canvass of the election. The vacancy shall not reduce any Council quorum requirements.

### **Section 2.1.6 Limitation on Filing for Election by Incumbent**

Except during the final year of the term being served, an incumbent Council member may not file for the office of Mayor unless the incumbent Council member formally resigns from elected office. The Vice Mayor's assumption of the duties and responsibilities of Mayor pursuant to Section 2.2.2a below, and the appointment of a Council member to serve as the Mayor pursuant to Section 2.2.2.b below, shall not require the Vice Mayor or the appointed Council member to resign his or her position as a Council member once an incumbent resigns from elected office, the office is declared vacant.

### **Section 2.1.7 Limitation on Running for Multiple Offices**

A person may not run for Town Council and the office of Mayor at the same time.

## **Article 2 Mayor**

### **2.2.1 Determination of Mayor and Vice Mayor**

### **2.2.2 Vacancy in the Position of Mayor**

### **2.2.3 Acting Mayor**

### **2.2.4 Powers and Duties of the Mayor**

### **2.2.5 Failure to Sign Documents**

#### **Section 2.2.1 Determination of Mayor and Vice Mayor**

Beginning with the first election for the Town Council after November 19, 2014, the Mayor of the Town of Tusayan shall be elected by the qualified electors of the Town. The Council shall designate one of its members as Vice Mayor, who shall serve at the pleasure of the Council. The Vice Mayor shall perform the duties of the Mayor during his or her absence or disability.

#### **Section 2.2.2 Vacancy in the Position of Mayor**

- a. Upon vacancy in the position of Mayor, the Vice Mayor shall assume the duties and responsibilities of the office of Mayor until the next possible election to the position of Mayor, the Vice Mayor shall convene a meeting of the Town Council in order to (i) call for the next possible election to fill the position of Mayor and (ii) fill the Council member vacancy created as a result of the Vice Mayor temporarily assuming the duties and responsibilities of the office of Mayor. The person appointed by Town Council to fill the Council member vacancy created as result of the Vice Mayor temporarily assuming the duties and responsibilities of the office of Mayor shall serve until a person is directly elected to fill the office of Mayor.
- b. The Town Council may by majority vote of the authorized members of the Town Council appoint a person from among its members to serve as the Mayor at any time that a person serving as Mayor has not been directly elected to serve as Mayor.
- c. Any person assuming the duties and responsibilities of the Mayor pursuant to Section 2.2.2.a or appointed to serve as Mayor pursuant to Section 2.2.2.b shall revert to his or her prior capacity as a Council member upon the direct election of a person to fill the position of Mayor if the term of such Council member has not expired at the time of the direct election of the Mayor.

#### **Section 2.2.3 Powers and Duties of the Mayor**

The powers and duties of the Mayor shall include the following:

- A. He or she shall be the chief executive officer of the Town
- B. He or she shall be the chairman of the Council and preside over its meetings. He/she may make and second motions and shall have a voice and vote in all of its proceedings.
- C. He or she shall enforce the provisions of this code.
- D. He or she shall execute and authenticate by his or her signature such instruments as the Council, or any statutes, ordinances, or this code shall require.

- E. He or she shall make recommendations and suggestions to the Council as he or she may consider proper.
- F. He or she shall govern by proclamation in the event of the threat of or occurrence of acts of riot, rout, or affray sufficient to constitute a great danger to the Town and its residents.
  - 1. In such areas of the Town as shall be designated by the Mayor by proclamation under the conditions set forth in this section, and within the area within all or any part of the Town so designated in the proclamation, and all persons living or residing within such designated area shall go immediately to their homes, and remain there until the curfew is lifted by order of the Mayor, and all other persons not residing within the designated area shall immediately leave.
  - 2. During the imposition of any curfew as set forth in this section, all business establishments in the designated curfew area, having on their premises intoxicating beverages, shall be closed during the state of emergency and until the curfew is lifted.
- G. He or she shall perform such other duties required by state statutes and this code as well as those duties required as chief executive officer of the Town.

#### **Section 2.2.4 Failure to Sign Documents**

If the Mayor refuses or fails to sign any ordinance, resolution, contract, warrant, demand, or other document or instrument requiring his or her signature for five days consecutively, then a majority of the members of the Council may, at any regular or special meeting, authorize the Vice Mayor, or in his or her absence, the acting Mayor to sign such ordinance, resolution, contract, warrant, demand, or other document or instrument which when so signed shall have the same force and effect as if signed by the Mayor.

**Article 3  
Council Procedures**

- 2.3.1 Regular Meetings**
- 2.3.2 Special Meetings and Times and Places of Special Meetings**
- 2.3.3 Posting of Notices**
- 2.3.4 Meeting to be Public**
- 2.3.5 Quorum**
- 2.3.6 Preparation of Agenda**
- 2.3.7 Order of Business**
- 2.3.8 Management of Meetings**
- 2.3.9 Voting**

**Section 2.3.1 Regular Meetings**

The Town Council will hold regular meetings at 6:00 p.m. on the first and third Wednesday of the month at the Town Hall for general business and public hearings as may be required by law, with work sessions to be held, as needed, before a regularly scheduled meeting, and the fourth Tuesday set aside for Planning & Zoning matters. If a regular meeting or work session is cancelled, such as near a holiday, notice of the cancellation shall be posted.

**Section 2.3.2 Special Meetings and Times and Places of Special Meetings**

- A. The Mayor, after public vote of the Council to schedule a special session within the jurisdiction of the Town, shall direct staff to schedule a special session of the Council, to begin at a time and place designated in the motion. In addition, the Mayor or Vice Mayor, if the Mayor is absent, and the Town Manager may jointly schedule a special session to be held at a time and in appropriate facilities within the Town limits when an urgent and/or unforeseen event or matter arises between regularly scheduled meetings after confirmation of the availability of a quorum. Special Meetings shall be posted in the same manner as regular meetings by the Town Clerk.
- B. Notices and agendas will be posted for the special sessions as required by law.
- C. Special sessions herein will not be scheduled away from Town Hall if the agenda involves public hearings likely to interest citizens of the Town in general rather than a particular neighborhood.

**Section 2.3.3 Posting of Notices**

- A. Notice of Council meetings and agendas shall be posted at Town Hall, the local general store, and on the Town's website. Other public notices, such as public meetings of Commissions, committees, or boards, bidding, holidays, auctions, and zoning matters, will be posted in the same manner. Locations for posting may be changed by Council resolution.
- B. All notices shall contain a statement of posting signed by the Town Clerk or a designated representative showing the date and time of posting.

- C. **Posting of Alternate Meeting Locations.** In addition to the locations and content specified by 2-3-3.a and 2.3.3.b (Posting of Legal Notices), the Town Manager or Mayor may request that a meeting or public hearing, which may attract a large audience, or need special presentation facilities, be scheduled for an alternate site suitable within the jurisdiction of the Town for public participation. If the Council votes to change the location for that meeting, notice of the location change shall be posted in the normal locations and the meeting may be called to order at the site without first being called to order at the Town Hall Council Chamber. This does not preclude the Council from relocating a meeting that is in progress to accommodate a crowd that exceeds maximum occupancy limits as established for Council Chambers.

**Section 2.3.4 Meeting to be Public**

All proceedings of the Council shall be open to the public, except that upon approval by a majority vote of the Council, the Council may meet in a closed executive session pursuant to the provisions of state law.

**Section 2.3.5 Quorum**

No action shall be taken unless a quorum is present. Three or more Council members (the Mayor counting as a member) shall constitute a quorum for transacting business, but a lesser number may adjourn from time to time to request the attendance of absent members.

**Section 2.3.6 Preparation of Agenda**

- A. Prior to each Council meeting, or on or before a time fixed by the Council for preparation and distribution of an agenda the Clerk shall collect all written reports, communications, ordinances, resolutions, contracts and other documents to be submitted to the Council, prepare an agenda in consultation with the Manager, Mayor, and no more than one (1) member of the Council and furnish each Council member, the Mayor and the Attorney with a copy of the agenda and other necessary reports and materials together with a copy of the draft minutes of the last preceding Council meeting. From time to time, addenda and late additions to the agenda are required and may be authorized by the Manager and Mayor due to extenuating circumstances beyond the control of the person requesting the addendum or late addition.
- B. All Council members are authorized to place item(s) on the agenda. Agenda item requests are to be submitted in written form to the Clerk. If the number of scheduled agenda items prevents the scheduling of a requested agenda item, the Mayor (with the consent of the requesting Council member) may schedule the requested item to be heard at the next meeting of the Council.
- C. The Town may use a consent agenda to address routine matters coming before the Council.

### **Section 2.3.7 Order of Business**

The business of the Council shall be the following items, not necessarily in that order:

- A. **Call to Order:** The Mayor shall take the chair precisely at the hour appointed for the meeting and shall immediately call the Council to order. In the absence of the Mayor, the Vice Mayor shall call the Council to order. In the absence of both the Mayor and Vice Mayor, the clerk shall call the Council to order and an acting Mayor shall be selected to chair the meeting. Upon the arrival of the Mayor or the Vice Mayor, the Vice Mayor or the acting Mayor shall immediately relinquish the chair upon the conclusion of the business immediately before the Council. The Mayor shall preserve order and decorum and decide all questions of order and conduct. Questions from the staff or public must be addressed to the chair.
- B. **Pledge of Allegiance.**
- C. **Roll Call.** Before proceeding with the business of the Council, the Mayor or designee shall record the roll of the members and the names of those present shall be entered in the minutes. If a quorum is not present, the members present may adjourn pursuant to Section 2-3-5 of this code.
- D. **Call to the Public.** The Council on items designated for public input may hear petitions, remonstrances, communications, comments or suggestions from citizens present. All such remarks shall be addressed to the Council as a whole, and not to any member thereof, or the staff. Such remarks may be limited to three (3) minutes. No person other than the individual speaking shall enter into the discussion without the permission of the presiding officer. There will also be a Call to the Public for items NOT on the agenda. Council may direct staff to follow up on the item with a report or placement on an upcoming agenda.
- E. **Consent Agenda:** (Routine business, meeting dates, disbursements, and resolutions). Unless a member of the Council requests a reading of the minutes of the Council meeting, the minutes of the preceding meeting shall be considered approved if correct, and errors rectified if any exist.
- F. **Ordinances/Resolutions/Other Actions Requiring Council Approval.** The Council shall consider any ordinances or resolutions or other actions requiring Council approval as may be listed on the agenda.
- G. **Reports by Officers.** Town officials and committees shall present any reports required by the Council.
- H. **Information and Updates.**
- I. **Adjournment.** The Council may, by a majority vote of those present, adjourn from time to time to a specific date and hour. A motion to adjourn shall always be in order and decided without debate.

### **Section 2.3.8 Management of Meetings**

- A. Where practicable, executive sessions will be held prior to the regular business meetings, as opposed to during or following a meeting.
- B. Meetings will conclude at 10:00 p.m. with planned recesses during the meetings.
- C. If an item is opened for public input, individual members of the public may address the item one time. Public input is limited to three (3) minutes.
- D. All routine, administrative-type items such as contract awards and approvals, proclamations, etc. may be placed on the Consent Agenda.
- E. Previously approved items, such as budgeted items do not require further Council action and will not be placed on an agenda.
- F. All presentations are limited to ten (10) minutes for the presentation and discussion period.

### **Section 2.3.9 Voting**

- A. The Mayor shall vote as a member of the Council.
- B. If requested by a Council member, the minutes shall show the ayes and nays of any question to be taken. Council members wishing to abstain for a conflict of interest may state such on the record prior to any discussion or vote on the item. Any other abstention must be declared at the time of the calling for a vote, or a silence will be recorded as an affirmative vote. The Mayor or chairman of the meeting will announce on the record whether the motion passed or failed.

## **Article 4**

### **Ordinances, Resolutions and Contracts**

#### **2.4.1 Prior Approval**

#### **2.4.2 Introduction**

#### **2.4.3 Reading of Proposed Ordinance**

#### **2.4.4 Requirements for an Ordinance**

#### **2.4.5 Effective Date of Ordinances**

#### **Section 2.4.1 Prior Approval**

All ordinances, resolutions, and contract documents shall, before presentation to the Council, have been reviewed as to form by the attorney and shall, when there are substantive matters of administration involved, be referred to the person who is charged with the administration of the matters. Such person(s) shall have an opportunity to present his objections, if any, prior to the passage of the ordinance, resolution or acceptance of the contract.

#### **Section 2.4.2 Introduction**

Ordinances, resolutions, and other matters or subjects requiring action by the Council shall be introduced and sponsored by a member of the Council, except that the attorney or the manager may present ordinances, resolutions and other matters or subjects to the Council, and any member of the Council may assume sponsorship thereof by moving that such ordinance, resolution, matter or subject be adopted; otherwise, they shall not be considered.

#### **Section 2.4.3 Reading of Proposed Ordinance**

Ordinances shall be read before adoption, but may be read by title only, if the Council is in possession of printed copies of said ordinance. A member of the Council may request that the ordinance under consideration be read in full.

#### **Section 2.4.4 Requirement for an Ordinance**

Each ordinance shall have one subject **ONLY**, the nature of which is clearly expressed in the title. Whenever possible, each ordinance shall be introduced as an amendment to this code or to an existing ordinance and, in such case, the title of the sections to be amended shall be included in the ordinance.

**Section 2.4.5 Effective Date of Ordinances**

No ordinance, resolution, or franchise shall become operative until thirty days after its passage by the Council and execution by the Mayor, except measures permitted by law to be adopted as an emergency that are necessary for the immediate preservation of the peace, health or safety of the Town, but such an emergency measure shall not become immediately operative unless it states in a separate section the reason why it is necessary that it should become immediately operative, and unless it is approved by the affirmative vote of three-fourths of all the members elected to the Council, taken by ayes and nays.

In addition to the provisions of subsection A of this section, the clerk shall certify the minutes of any Council meeting at which an ordinance, resolution or franchise is passed. The thirty day period specified in subsection A shall be calculated from the date of passage by the Council, execution by the Mayor, and approval as to form by the Town Attorney, and a copy available to the public pursuant to ARS 19-142.C, as may be amended .