

## AGENDA

### TUSAYAN TOWN COUNCIL REGULAR MEETING

PURSUANT TO A.R.S. § 38-431.02 & §38-431.03  
Wednesday, January 6, 2016 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, January 6, 2016 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 CRAIG SANDERSON**

**COUNCILMEMBER AL MONTOYA  
COUNCILMEMBER JOHN RUETER  
COUNCILMEMBER JOHN SCHOPPMANN**

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

**The Tusayan Town Council will acknowledge the assumption of the Office of Mayor by the Vice Mayor pursuant to Chapter 2 of the Town Code, Section 2.2.2**

#### 4. 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.*

#### 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 Meeting on 11/18/15**

**B. Accounts Payable Billings**

#### 6. PUBLIC HEARING ON LIQUOR LICENSE APPLICATION FOR NATIONAL GEOGRAPHIC VISITOR CENTER

**7. 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**

**8. ACTION ITEMS**

- A. Consideration, discussion, and possible recommendation of approval or disapproval of liquor license application for National Geographic Visitor Center to Arizona State Department of Liquor License and Control**
- B. Consideration, discussion, and possible call for the next possible election to fill the position of Mayor**
- C. Consideration, discussion, and possible approval to fill, or determine a process to fill, the Council vacancy**
- D. Consideration, discussion, and possible selection of a Vice Mayor**

**9. DISCUSSION ITEM**

**Update on the CDBG project**

**10. TOWN MANAGER'S REPORT**

**11. FUTURE AGENDA ITEMS**

**12. COUNCIL MEMBERS' REPORTS**

**13. MAYOR'S REPORT**

**14. 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 \_\_\_\_\_ day of January, 2016, at \_\_\_\_\_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, November 18, 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 6:00pm 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 SHOPPMAN - EXCUSED**

Also present: Eric Duthie, Town Manager

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

None

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

None

\*\*\*\* **NOTE: Mayor Bryan exercised executive privilege to bring Action Items 7, 8A, and 8F forward:**

**Action Item 7. Public hearing on liquor license application for Yippee Ei O Steakhouse**

Mayor Bryan called the public hearing to order and asked the applicant Kristin Iannini to explain the request. Ms. Iannini explained the application is only for a change of ownership percentage.

No public questions were asked. Mayor Bryan closed the public hearing.

**Action Item 8A. Consideration, discussion, and possible approval of liquor license application for Yippee Ei O Steakhouse**

Councilmember Reuter made a motion to approve the application. Vice Mayor Sanderson seconded the motion and it passed on unanimous vote.

**Action Item 8F. Consideration, discussion, and possible approval of the Town 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, or the use of a Tusayan Housing Department, the creation of a related nonprofit corporation, and related issues concerning the Kotzin Ranch Development**

Councilmember Montoya made a motion to go into Executive Session. Councilmember Reuter seconded the motion and it passed on unanimous vote. Council entered Executive Session at 6:18pm.

Councilmember Reuter made a motion to adjourn Executive Session at 7:45pm. Vice Mayor Sanderson seconded the motion and it passed on unanimous vote.

Council adjourned from Executive Session, but called a recess. No action was taken from the Executive Session.

Mayor Bryan called the meeting back to order at 7:55pm.

## **5. CONSENT AGENDA**

**A. Minutes of the Town Council Special Meetings on 6/3/15, 6/4/15, and 6/24/15 and the Regular Meeting on 6/24/15**

**B. Accounts Payable Billings**

Councilmember Reuter made a motion to approve the Consent Agenda. Vice Mayor Sanderson seconded the motion and it passed on unanimous vote.

## **6. WORKGROUP AND COMMITTEE REPORTS**

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

Manager Duthie reported that changes at the Complex are still being designed by the engineering firm.

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

Manager Duthie stated that the Planning and Zoning Commission is scheduled to meet on December 1 to review the revision to the Tusayan Zoning Code.

**C. Update on Affordable Housing**

Mayor Bryan reported that we are still awaiting a decision and announcement from the U.S. Forest Service concerning the roadway easement application.

## **7. ACTION ITEMS**

**A. Consideration, discussion, and possible approval of Resolution No. 2015-09 regarding the intent of the Town of Tusayan to become a Dark Skies Community**

Councilmember Montoya made a motion to approve Resolution No. 2015-09.

Vice Mayor Sanderson seconded the motion and it passed on unanimous vote.

**B. Consideration, discussion and possible approval of proposal for acceptance of a feasibility study for broadband fiber delivery to the Town of Tusayan**

Mayor Bryan reported the study was being fully funded by CommNet and will be delivered to the town upon completion. CommNet requested the opportunity to be the first to discuss options with the town, once the study was completed, but promised the town could use the study with any potential vendor.

Council took no action on this item.

**C. Consideration, discussion, and possible approval of a Town Fiscal Policy**

Council reviewed the draft policy and made several adjustments and revisions.

Councilmember Montoya made a motion to approve the policy with the described changes. Councilmember Reuter seconded the motion and it passed on unanimous vote. Manager Duthie was directed to provide Council with a "red-line version" of the corrected draft.

**D. Consideration, discussion, and possible approval of 2016 Meeting Calendar**

Council reviewed the draft calendar with no adjustments.

**8. DISCUSSION ITEMS**

**A. Discussion of the Tusayan Drainage Improvement Project and the Coconino County Flood District**

Mayor Bryan and Manager Duthie are scheduled to meet with Navajo County on December 17, 2015 to discuss the project.

**B. Discussion of possible snow play area in Tusayan**

Councilmember Reuter identified current and potential snow play areas for future development. Additionally, Councilmember Reuter identified the economic benefit of developing a snow play area.

**C. Discussion of the easement required to run fiber optic cable from Apex to the Town of Tusayan**

Manager Duthie distributed a draft of a letter to the Forest Service requesting discussion of a potential easement request. Councilmember Reuter added that he had discussed the possible fiber access with the Airport Manager, as well.

**D. Planning discussion on the January 2016 Town Council Retreat**

Council selected January 14, 2016 as the date for a full day Retreat. Council expressed consensus that the Retreat be held at El Tovar Hotel.



**ITEM NO. 6 & 8A**

# TOWN OF TUSAYAN on the Edge of Grand Canyon National Park

RECEIVED  
NOV 16 2015  
BY: MJD

## LIQUOR LICENSE APPLICATION

\$560 CK#  
40348

Non-refundable application fee of \$560 due upon submittal. Please make checks payable to the Town of Tusayan.

1. Name of corporation or person requesting a license:

Grand Canyon Theatre Venture ET AL

2. Business name (dba): National Geographic Visitor Center at the Grand Canyon

3. Business address: 450 State Route 64

(928) 638-2468  
Business Phone

jrosener@ngvccanyon.com  
E-mail address

4. Please describe your business and how the sale of alcohol will be involved.

Company operates a food and beverage outlet in the visitor center, which also houses a large format theater. Beer and wine will be sold to patrons of the food and beverage area of the visitor center.

5. Name of the person compiling this form:

Rosener  
Last

Janet  
First

M.  
Middle Initial

Residence:

#2 Camper Village Tusayan, AZ 86023  
Street Address City State Zip Code

Contact Information:

(928) 638-1955  
Home Phone

(928) 380-6504  
Cell Phone

(928) 638-2468  
Business Phone

6. Have you ever been arrested for, convicted of, or plead guilty or no contest to a violation of any law other than a misdemeanor traffic violation in the past 10 years?

Yes  No

If "yes," please provide details on the incident(s) including how the matter was resolved.

\_\_\_\_\_  
\_\_\_\_\_

7. Please list all persons having any ownership interest in the business, or in the profits of the business. This includes persons with less than a 10% interest.

Last	First	Middle	% Owned	Mailing Address	City/State/Zip
Destination Cinema, Inc.			70	4155 Harrison Blvd #201 Ogden UT	84403
Halvorson-Seibold, Inc.			20	12515 Willows Rd NE #200, Kirkland, WA	98034
Hales Joseph Sloan			10	1920 Evans Ave., Cheyenne, WY	82001

\*Attach additional sheet if necessary.

8. Provide information about the purchase of the business. Provide complete details on the source of any and all funding.

- a. When was the business purchased? n/a - business not purchased
- b. How much was it purchased for? \_\_\_\_\_
- c. What did the purchase include? \_\_\_\_\_

- d. Was the purchase of a liquor license included?  Yes  No  
 If not included in the purchase of the business, what was the cost of the license? \_\_\_\_\_

9. If the license is denied, will the business be operated without liquor sales?  Yes  No

10. What are the planned hours of operation for the business if a liquor license is obtained?  
 Weekdays: 8:30 AM - 10:00 PM  
 Weekends: 8:30 AM - 10:00 PM

11. Will the business include dancing, live entertainment, adult entertainment, outdoor dining, outdoor alcohol consumption, pool tables, coin-operated games or automotive fuel sales?

Yes  No

If "yes," explain the nature of such activities as it relates to the business.

There is outdoor dining, currently. We expect there will be outdoor alcohol consumption.

12. What type of Liquor License is being requested? Series 07, Beer & Wine

13. Is this business currently in operation?  Yes  No

If "no," what is the anticipated opening date? \_\_\_\_\_

14. Business Zoning Designation: CG
- Does the business require rezoning?  Yes  No
- If "yes," has the rezoning process begun?  Yes  No
15. Do you plan on modifying the existing building?  Yes  No
- Please attach a copy of the existing site plan and floor plan(s) for the current building.
- If "yes," have you received the proper building permits?  Yes  No
- Please attach copies of the proposed site plan and floor plan(s).

Full and complete answers to these questions are important for a full and fair review of the application. Please attach additional information and sheets if you find you need additional space on the application to provide full and complete information on the questions presented.

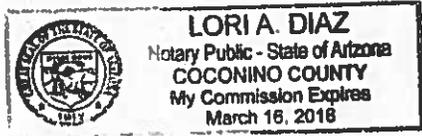
Pursuant to A.R.S. §§ 13-2703 and 13-2002, I swear or affirm I have read all of the above questions and have personally provided all of the information to the best of my knowledge and belief and that all of it is true. I understand that all information regarding ownership of the business is very important and relevant to the processing of my application. I understand that if I provide any false information in this application, it may result in either a recommendation of disapproval of this application by the Town of Tusayan, criminal charges being filed against me, or both.

[Signature] (Signature of person filling out this form)

This sworn statement is given under oath or affirmation pursuant to A.R.S. § 13-2701(3).

STATE OF ARIZONA )  
 ) ss.  
 County of Coconino )

SUBSCRIBED AND SWORN TO before me this 12<sup>th</sup> day of November, 2015, by \_\_\_\_\_.



[Signature]  
 Notary Public



Arizona Department of Liquor Licenses and Control  
 800 W Washington 5th Floor  
 Phoenix, AZ 85007  
 www.azliquor.gov  
 (602) 542-5141

15 NOV 18 Ligr. Dept RM1114

**Application for Liquor License**  
 Type or Print with Black Ink

15 DEC 2 Ligr. Dept RM1021

**SECTION 1** This application is for a:

- Interim Permit (Complete Section 5)
- New License (Complete Sections 2, 3, 4, 13, 14, 15, 16)
- Person Transfer (Complete Section 2, 3, 4, 12, 13, 14, 16)
- Location Transfer (Bars and Liquor Stores Only)  
 (Complete Section 2, 3, 4, 11, 13, 14, 16)
- Probate/ Will Assignment/ Divorce Decree  
 (Complete Sections 2, 3, 4, 9, 13, 14, 16)  
 (Fee not required)
- Government (Complete Sections 2, 3, 4, 10, 13, 16)
- Seasonal

**SECTION 2** Type of Ownership:

- J.T.W.R.O.S. (Complete Section 6)
- Individual (Complete Section 6)
- Partnership (Complete Section 6)
- Corporation (Complete Section 7)
- Limited Liability Co (Complete Section 7)
- Club (Complete Section 8)
- Government (Complete Section 10)
- Trust (Complete Section 6)
- Tribe (Complete Section 6)
- Other (Explain) \_\_\_\_\_

**SECTION 3** Type of license

LICENSE # 07030062

1. Type of License: Series 07

**APPLICATION FEE AND INTERIM PERMIT FEES (IF APPLICABLE) ARE NOT REFUNDABLE**

A service fee of \$25 will be charged for all dishonored checks (A.R.S. § 44-6852)

**SECTION 4** Applicants

1. Individual Owner/Agent's Name: Rosener Janet Marie P1075237  
Last First Middle

2. Owner Name: Grand Canyon Theatre Venture I B1035234  
(Ownership name for type of ownership checked on section 2)

3. Business Name: National Geographic Visitor Center at the Grand Canyon B1055748  
(Exactly as it appears on the exterior of premises)

4. Business Location Address: 450 State Route 64 Tusayan AZ 86023 Coconino  
(Do not use PO Box) Street City State Zip Code County

5. Mailing Address: PO Box 3309 Tusayan AZ 86023  
(All correspondence will be mailed to this address) Street City State Zip Code

6. Business Phone: 928-638-2468 Daytime Contact Phone: 928-380-6504

7. Email Address: jrosener@ngvccanyon.com

8. Is the Business located within the incorporated limits of the above city or town?  Yes  No

9. Does the Business location address have a street address for a City or Town but is actually in the boundaries of another City, Town or Tribal Reservation?  Yes  No

If Yes, what City, Town or Tribal Reservation is this Business located in: \_\_\_\_\_

10. Total Price paid for Series 6 Bar, Series 7 Beer & Wine Bar or Series 9 Liquor Store (license only) \$ 27,000.00

Fees: <u>\$200.00</u>	<u>      </u>	Department Use Only <u>\$154.00</u>	<u>\$354.00</u>
Application	Interim Permit	Site Inspection	Finger Prints
Total of All Fees			
Is Arizona Statement of Citizenship & Alien Status for State Benefits complete? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
Accepted by: <u>DW</u>	Date: <u>12/10/15</u>	License # <u>07030062</u>	

15 DEC 10 Ligr. Dept RM11418

**SECTION 5 Interim Permit**

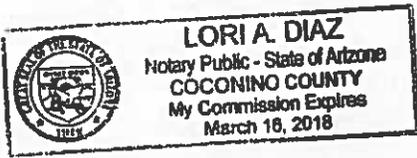
- If you intend to operate business when your application is pending you will need an interim permit pursuant to ARS § 4-203.01
- There **MUST** be a valid license of the same type you are applying for currently issued to the location or for the replacement of a Hotel/Motel license with a Restaurant license pursuant to A.R.S. § 4-203.01.

1. Enter license number currently at the location: \_\_\_\_\_  
 2. Is the license currently in use?  Yes  No If no, how long has it been out of use? \_\_\_\_\_

Attach a copy of the license currently issued at this location to this application.

I, Janet Marie Rosener declares that I am the CURRENT OWNER, AGENT, OR CONTROLLING PERSON on the stated license and location.  
 (Print Full Name)

X *Janet Marie Rosener*  
 (Signature)



My Commission Expires on: 3/18/2018  
 Date

State Arizona County of Cocconino  
 The foregoing instrument was acknowledged before me this  
12<sup>th</sup> day of November 2015  
 Day Month Year  
*Lori A. Diaz*  
 (Signature of Notary Public)

DEC 10 10:09 AM '15

**SECTION 6 Individual, Partnership, J.T.W.R.O.S, Trust, Tribe Ownerships**

EACH PERSON LISTED MUST SUBMIT A COMPLETED QUESTIONNAIRE, AN "APPLICANT" TYPE FINGERPRINT CARD AND \$22 PROCESSING FEE FOR EACH CARD.

**Individual**

Last	First	Middle	%Owned	Mailing Address	City	State	Zip Code

Is any person other than above, going to share in profit/losses of the business?  Yes  No  
 If Yes, give name, current address, and telephone number of person(s). Use additional sheets if necessary.

Last	First	Middle	Mailing Address	City	State	Zip Code	Phone #

**Partnership**

Name of Partnership: Grand Canyon Theatre Venture

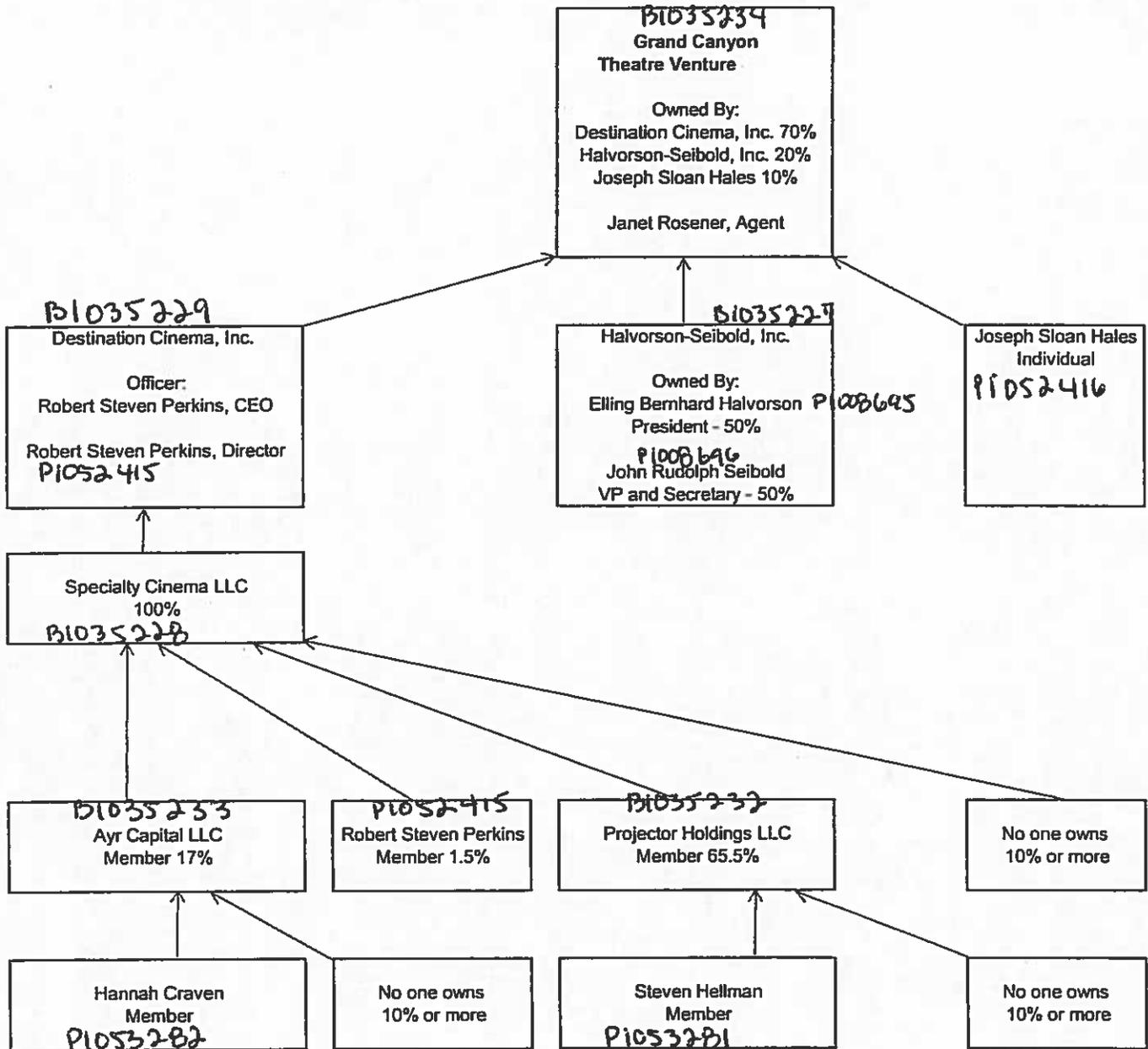
General-Limited	Last	First	Middle	%Owned	Mailing Address	City	State	Zip Code
<input type="checkbox"/> <input checked="" type="checkbox"/>	Destination Cinema, Inc. - see attached chart			70	4155 Harrison Blvd., #210, Ogden, UT			84403
<input type="checkbox"/> <input checked="" type="checkbox"/>	Halvorson-Seibold, Inc. - see attached chart			20	12515 Willows Rd NE #200, Kirkland, WA			98034
<input type="checkbox"/> <input checked="" type="checkbox"/>	Hales	Joseph	Sloan	10	1920 Evans Avenue, Cheyenne, WY			82001
<input type="checkbox"/> <input type="checkbox"/>								

**J.T.W.R.O.S (Joint Tenant with Rights of Survivorship)**

Name of J.T.W.R.O.S: \_\_\_\_\_

Last	First	Middle	Mailing Address	City	State	Zip Code

Ownership of Grand Canyon Theatre Venture ET AL



15 DEC 10 09:11:01 AM '24

**SECTION 6 - continued**

15 DEC 10 Lig. Lic. #11148

**TRUST**

Name of Trust: \_\_\_\_\_

Last	First	Middle	Mailing Address	City	State	Zip Code

**TRIBE**

Name of Tribal Ownership: \_\_\_\_\_

Last	First	Middle	Mailing Address	City	State	Zip Code

**SECTION 7 Corporations/ Limited Liability Co**

EACH PERSON LISTED MUST SUBMIT A COMPLETED QUESTIONNAIRE AN "APPLICANT" TYPE FINGERPRINT CARD AND \$22 PROCESSING FEE FOR EACH CARD.

- Corporation Complete Questions 1, 2, 3, 4, 5, 6, and 7
- L.L.C. Complete Questions 1, 2, 3, 4, 5, 6, and 7

- Name of Corporation/ L.L.C: \_\_\_\_\_
- Date Incorporated/Organized: \_\_\_\_\_ State where Incorporated/Organized: \_\_\_\_\_
- AZ Corporation or AZ L.L.C File No: \_\_\_\_\_ Date authorized to do Business in AZ: \_\_\_\_\_
- Is Corp/L.L.C. Non Profit?  Yes  No
- List Directors, Officers, Members in Corporation/L.L.C:

Last	First	Middle	Title	Mailing Address	City	State	Zip Code

(Attach additional sheet if necessary)

6. List all Stockholders / percentage owners who own 10% or more:

Last	First	Middle	%Owned	Mailing Address	City	State	Zip Code

(Attach additional sheet if necessary)

7. If the corporation/ L.L.C are owned by another entity, attach an Organizational FLOWCHART showing the structure of the ownership. Attach additional sheets as needed in order to disclose the Officers, Directors, Members, Managers, Partners, Stockholders and percentage owners of those entities.



SECTION 12 Person to Person Transfer

15 NOV 23 Lic. Lic. #M11136

Questions to be completed by Current Licensee (Bar and Liquor Stores Only- Series, 06, 07, and 09)

1. Individual Owner / Agent Name: CUELLAR JOANNE P Entity: INDIVIDUAL (Last First Middle (Individual, Agent, Etc))

2. Ownership Name: (Exactly as it appears on license)

3. Business Name: SLIDE ROCK LODGE (Exactly as it appears on license)

4. Business Location Address: 6401 N HWY 89A SEDONA AZ 86336 (Street City State Zip)

5. License Type: #7 License Number: 07030062

6. Current Mailing Address: P O BOX 39551 PHOENIX AZ 85069 (Street City State Zip)

7. Have all creditors, lien holders, interest holders, etc. been notified? [X] Yes [ ] No

8. Does the applicant intend to operate the business while this application is pending? [ ] Yes [X] No

If yes, complete Section 5 (Interim Permit) of this application; attach fee, and current license to this application.

9. I, (Print Full Name) JOANNE P CUELLAR hereby authorize the department to process this Application to transfer the privilege of the license to the applicant provided that all terms and conditions of sale are met. Based on the fulfillment of these conditions, I certify that the applicant now owns or will own the property rights of the license by the date of issue.

I, (Print Full Name) JOANNE P CUELLAR declare that I am the CURRENT OWNER, MEMBER, PARTNER STOCKHOLDER or LICENSEE of the stated license. I have read the above Section 12 and confirm that all statements are true, correct, and complete.

X SEE ATTACH (Signature of CURRENT Individual Owner/Agent)

15 DEC 10 Lic. Lic. #M11143

NOTARY

State of \_\_\_\_\_ County of \_\_\_\_\_ (State County)

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ (Day Month Year)

My commission expires on \_\_\_\_\_ Signature of NOTARY PUBLIC (Day/ Month/Year)

**SECTION 9** Probate, Will Assignment or Divorce Decree of an existing Bar or Liquor Store:

1. Current licensee's Name: \_\_\_\_\_  
(Exactly as it appears on license) Last First Middle
2. Assignee's Name: \_\_\_\_\_  
Last First Middle
3. license Type: \_\_\_\_\_ license Number: \_\_\_\_\_ Date of Last Renewal: \_\_\_\_\_
4. ATTACH TO THIS APPLICATION A CERTIFIED COPY OF THE WILL, PROBATE DISTRIBUTION INSTRUMENT, OR DIVORCE DECREE THAT SPECIFICALLY DISTRIBUTES THE LIQUOR LICENSE TO THE ASSIGNEE TO THIS APPLICATION.

**SECTION 10** Government: (for cities, towns, or counties only)

1. Person to administer this license: \_\_\_\_\_  
Last First Middle
2. Assignee's Name: \_\_\_\_\_  
Last First Middle

**A SEPARATE LICENSE MUST BE OBTAINED FOR EACH PREMISES FROM WHICH SPIRITUOUS LIQUOR IS SERVED.**

**SECTION 11** Person to Person Transfer:

Questions to be completed by CURRENT LICENSEE (Bars and Liquor Stores ONLY).

1. Current licensee's Name: CUELLAR JOANNE P Entity: Individual  
(Exactly as it appears on license) Last First Middle (Indiv., Agent, etc.)
2. Corporation/L.L.C. Name: \_\_\_\_\_  
(Exactly as it appears on license)
3. Current Business Name: SLIDE ROCK Lodge  
(Exactly as it appears on license)
4. Current Business Address: 6401 N HWY 89A SEDONA AZ 86336
5. License Type: #7 license Number 07030062 Last Renewal Date: 5.27.2015
6. Current Mailing Address (other than b): PO Box 39551  
PHOENIX AZ 85069
7. Have all creditors, lien holders, interest holders, etc. been notified of this transfer?  YES  NO
8. Does the applicant intend to operate the business while this application is pending?  YES  NO If yes, complete section 5, attach fee, and current license to this application.
9. I hereby relinquish my rights to the above described license to the applicant named in this application and hereby declare that the statements made in this section are true, correct and complete.

I, JOANNE CUELLAR, declare that I am the CURRENT LICENSEE of the stated license. I have read this  
(Print full name)  
application and the contents and all statements are true/correct and complete.

Joanne Cuellar  
(Signature of CURRENT LICENSEE)

State of ARIZONA County of MARICOPA  
The foregoing instrument was acknowledged before me this

27<sup>th</sup> day of MAY, 2015  
Day of Month Month Year

My commission expires on: Feb 23, 2016

Jasjit Singh  
(Signature of NOTARY PUBLIC)

15 DEC 10 10:48 AM '14



15 NOV 18 Liq. Dept #M11:16

Escrow No: 15349-AK

# BILL OF SALE

IN CONSIDERATION OF THE SUM OF:

**\*\*TWENTY SEVEN THOUSAND AND 00/100\*\*\*\*\* DOLLARS**

lawful currency of the United States of America, and other valuable consideration, receipt of which is hereby acknowledged, the SELLER:

**JOANNE CUELLAR**

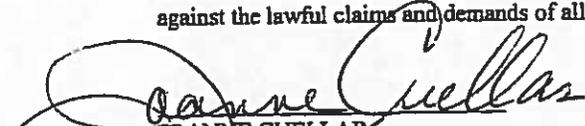
hereby grants, bargains, sell and transfer unto the BUYER:

**GRAND CANYON THEATRE VENTURE**

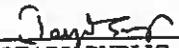
as his, her or their heirs, personal representatives, or assigns, to have and to hold forever, the following described personal property, goods or chattels:

**State of Arizona Series #07 Liquor License #07030062**

FURTHERMORE, Seller warrants that he, she or they are the lawful owner of said goods and hereby certifies, under oath that he, she, or they have the right to sell the same as aforesaid and that the above described property is free and clear of all claims, liens and other encumbrances whatsoever, EXCEPT, as specified herein. Seller further agrees to warrant and defend same against the lawful claims and demands of all persons whomsoever.

  
 JOANNE CUELLAR  
 State of ARIZONA )  
 County MARICOPA )

Acknowledge, under oath, before me on this 27<sup>th</sup> day of MAY 2015

  
NOTARY PUBLIC

My commission expires on: Feb 23, 2016



15 DEC 2 Liq. Dept #M10:22

15 DEC 10 Liq. Lic. #M11:15

STATE OF ARIZONA

DEPARTMENT OF LIQUOR LICENSING  
AND CONTROL  
ALCOHOLIC BEVERAGE LICENSE

License 07030062

Issue Date: 12/15/1994

Expiration Date: 5/31/2016

Issued To:  
JOANNE P CUELLAR, Owner

Location:  
SLIDE ROCK LODGE  
6401 N HWY 89A  
SEDONA, AZ 86336

Beer & Wine Bar

Mailing Address:

JOANNE P CUELLAR  
SLIDE ROCK LODGE  
PO BOX 39551  
PHOENIX, AZ 85069

INACTIVE



EXP 5/31/2016

POST THIS LICENSE IN A CONSPICUOUS PLACE

**SECTION 13 Proximity to Church or School**

Questions to be completed by all in-state applicants **EXCLUDING** those applying for a Series 5 Government, Series 11 Hotel/Motel, and Series 12 Restaurant licenses.

A.R.S. § 4-207 (A) and (B) state that no retailer's license shall be issued for any premises which are at the time the license application is received by the director, within three hundred (300) horizontal feet of a church, within three hundred (300) horizontal feet of a public or private school building with kindergarten programs or grades one (1) through (12) or within three hundred (300) horizontal feet of a fenced recreational area adjacent to such school building. The above paragraph DOES NOT apply to:

- a) Restaurant license (§ 4-205.02)
- b) Hotel/motel license (§ 4-205.01)
- c) Government license (§ 4-205.03)
- d) Fenced playing area of a golf course (§ 4-207 (B)(5))

1. Distance to nearest School: 6 miles Name of School: Grand Canyon School (K-12)  
 (if less than one (1) mile note footage) Address: 1 Boulder Street, Grand Canyon, AZ 86023

2. Distance to nearest Church: 6 miles Name of Church: El Cristo Rey Catholic Church  
 (if less than one (1) mile note footage) Address: 44 Albright Avenue, Grand Canyon, AZ 86023

**SECTION 14 Business Financials**

1. I am the:  Lessee  Sub-lessee  Owner  Purchaser  Management Company

2. If the premise is leased give lessors: Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
Street City State Zip

3. Monthly Rent/ Lease Rate: \$ \_\_\_\_\_

4. What is the remaining length of the lease? \_\_\_\_\_ yrs \_\_\_\_\_ months

5. What is the penalty if the lease is not fulfilled? \$ \_\_\_\_\_ or other: \_\_\_\_\_  
 (Give details-attach additional sheet if necessary)

6. Total money borrowed for the Business not including lease? \$ 0  
 Please List Lenders/People you owe money to for business.

Last	First	Middle	Amount Owed	Mailing Address	City	State	Zip

(Attach additional sheet if necessary)

7. What type of business will this license be used for (be specific)?  
In food and beverage operation for Visitor Center, which includes a large format theater

8. Has a license or a transfer license for the premises on this application been denied by the state with in the past (1) year?  Yes  No If yes, attach explanation.

9. Does any spirituous liquor manufacture, wholesaler, or employee have an interest in your business?  Yes  No

10. Is the premises currently license with a liquor license?  Yes  No

If yes, give license number and licensee's name:

License #: \_\_\_\_\_ Individual Owner /Agent Name: \_\_\_\_\_  
(Exactly as it appears on license)

15 DEC 8 11:41 AM '14

15 DEC 10 11:41 AM '14

**SECTION 13 Proximity to Church or School**

Questions to be completed by all in-state applicants EXCLUDING those applying for a <sup>45 DEC 10 LIQ. LIC. #11148</sup> Series 5 Government, Series 11 Hotel/Motel, and Series 12 Restaurant licenses.

A.R.S. § 4-207 (A) and (B) state that no retailer's license shall be issued for any premises which are at the time the license application is received by the director, within three hundred (300) horizontal feet of a church, within three hundred (300) horizontal feet of a public or private school building with kindergarten programs or grades one (1) through (12) or within three hundred (300) horizontal feet of a fenced recreational area adjacent to such school building. The above paragraph DOES NOT apply to:

- a) Restaurant license (§ 4-205.02)
- b) Hotel/motel license (§ 4-205.01)
- c) Government license (§ 4-205.03)
- d) Fenced playing area of a golf course (§ 4-207 (B)(5))

1. Distance to nearest School: 6 miles (if less than one (1) mile note footage) Name of School: Grand Canyon School  
 Address: 1 Boulder St., Grand Canyon AZ 86023

2. Distance to nearest Church: 6 miles (if less than one (1) mile note footage) Name of Church: El Cristo Rey Catholic Church  
 Address: Boulder St., Grand Canyon AZ 86023

**SECTION 14 Business Financials**

1. I am the:  Lessee  Sub-lessee  Owner  Purchaser  Management Company

2. If the premise is leased give lessors: Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
Street City State Zip

3. Monthly Rent/ Lease Rate: \$ \_\_\_\_\_

4. What is the remaining length of the lease? \_\_\_\_\_ yrs \_\_\_\_\_ months

5. What is the penalty if the lease is not fulfilled? \$ \_\_\_\_\_ or other: \_\_\_\_\_  
(Give details-attach additional sheet if necessary)

6. Total money borrowed for the Business not including lease? \$ 0  
 Please List Lenders/People you owe money to for business.

Last	First	Middle	Amount Owed	Mailing Address	City	State	Zip

(Attach additional sheet if necessary)

7. What type of business will this license be used for (be specific)?  
Food and beverage operation for visitor center attached to an Imax theater

8. Has a license or a transfer license for the premises on this application been denied by the state with in the past (1) year?  Yes  No If yes, attach explanation.

9. Does any spirituous liquor manufacture, wholesaler, or employee have an interest in your business?  Yes  No

10. Is the premises currently license with a liquor license?  Yes  No

If yes, give license number and licensee's name:

License #: \_\_\_\_\_ Individual Owner /Agent Name: \_\_\_\_\_  
(Exactly as it appears on license)

**SECTION 15 Restaurant or hotel/motel license applicants**

15 DEC 10 Lic. Lic. #1143

1. Is there an existing Restaurant or Hotel/Motel Liquor License at the proposed location?  Yes  No
2. If the answer to Question 1 is YES, you may qualify for an Interim Permit to operate while your application is pending; consult A.R.S. § 4-203.01; and complete SECTION 5 of this application.
3. All Restaurant and Hotel/Motel applicants must complete a Restaurant Operation Plan form provided by the Department of Liquor Licenses and Control.
4. As stated in A.R.S. § 4-205.02. (H)(2), a Restaurant is an establishment which derives at least forty (40) percent of its gross revenue from the sale of food. Gross revenue is the revenue derived from sales of food and spirituous liquor on the licensed premises. By applying for this  Restaurant  Hotel/Motel, I certify that I understand that I must maintain a minimum of forty (40) percent food sales based on these definitions and have included the Restaurant Hotel/Motel Records Required for Audit form with this application.

\_\_\_\_\_  
(Applicant's Signature)

5. I understand it is my responsibility to contact the Department of Liquor Licenses and Control to schedule an inspection when all tables and chairs are on site, kitchen equipment, and, if applicable, patio barriers are in place on the licensed premises. With the exception of the patio barriers, these items are not required to be properly installed for this inspection. Failure to schedule an inspection will delay issuance of the license. If you are not ready for your inspection 90 days after filing your application, please request an extension in writing; specify why the extension is necessary; and the new inspection date you are requesting.

\_\_\_\_\_  
(Applicant's Initials)

**SECTION 16 Diagram of Premises**

Check ALL boxes that apply to your business:

- |                                                     |                                                          |               |                                                |
|-----------------------------------------------------|----------------------------------------------------------|---------------|------------------------------------------------|
| <input checked="" type="checkbox"/> Entrances/Exits | <input checked="" type="checkbox"/> Liquor storage areas | <b>Patio:</b> | <input checked="" type="checkbox"/> Contiguous |
| <input type="checkbox"/> Walk-up windows            | <input type="checkbox"/> Drive-through windows           |               | <input type="checkbox"/> Non Contiguous        |

1. Is your licensed premises currently closed due to construction, renovation or redesign?  Yes  No  
If yes, what is your estimated completion date? \_\_\_\_\_

Month/Day/Year

2. **Restaurants and Hotel/Motel** applicants are required to draw a detailed floor plan of the kitchen and dining areas including the locations of all kitchen equipment and dining furniture. Place for diagram is on section 16 number 6.
3. The diagram (a detailed floor plan) you provide is required to disclose only the area(s) where spirituous liquor is to be sold, served, consumed, dispensed, possessed or stored on the premises unless it is a restaurant (see # 3 above).
4. Provide the square footage or outside dimensions of the licensed premises. Please do not include non-licensed premises such as parking lots, living quarters, etc.

As stated in A.R.S. § 4-207.01 (B), I understand it is my responsibility to notify the Department of Liquor Licenses and Control when there are changes to the boundaries, entrances, exits, added or deleted doors, windows, service windows or increase or decrease to the square footage after submitting this initial diagram.

JK  
(Applicant's initials)

**SECTION 16 Diagram of Premises – continued**

6. On the diagram please show only the areas where spirituous liquor is to be sold, served, consumed, dispensed, possessed or stored. It must show all entrances, exits, interior walls, bars, hi-top tables, dining tables, dining chairs, dance floor, stage, game room, and the kitchen. DO NOT include parking lots, living quarters, etc. When completing diagram, North is up ↑.

If a legible copy of a rendering or drawing of your diagram of the premises is attached to this application, please write the words "DIAGRAM ATTACHED" in the box provided for the diagram on the application.

**DIAGRAM OF PREMISES**

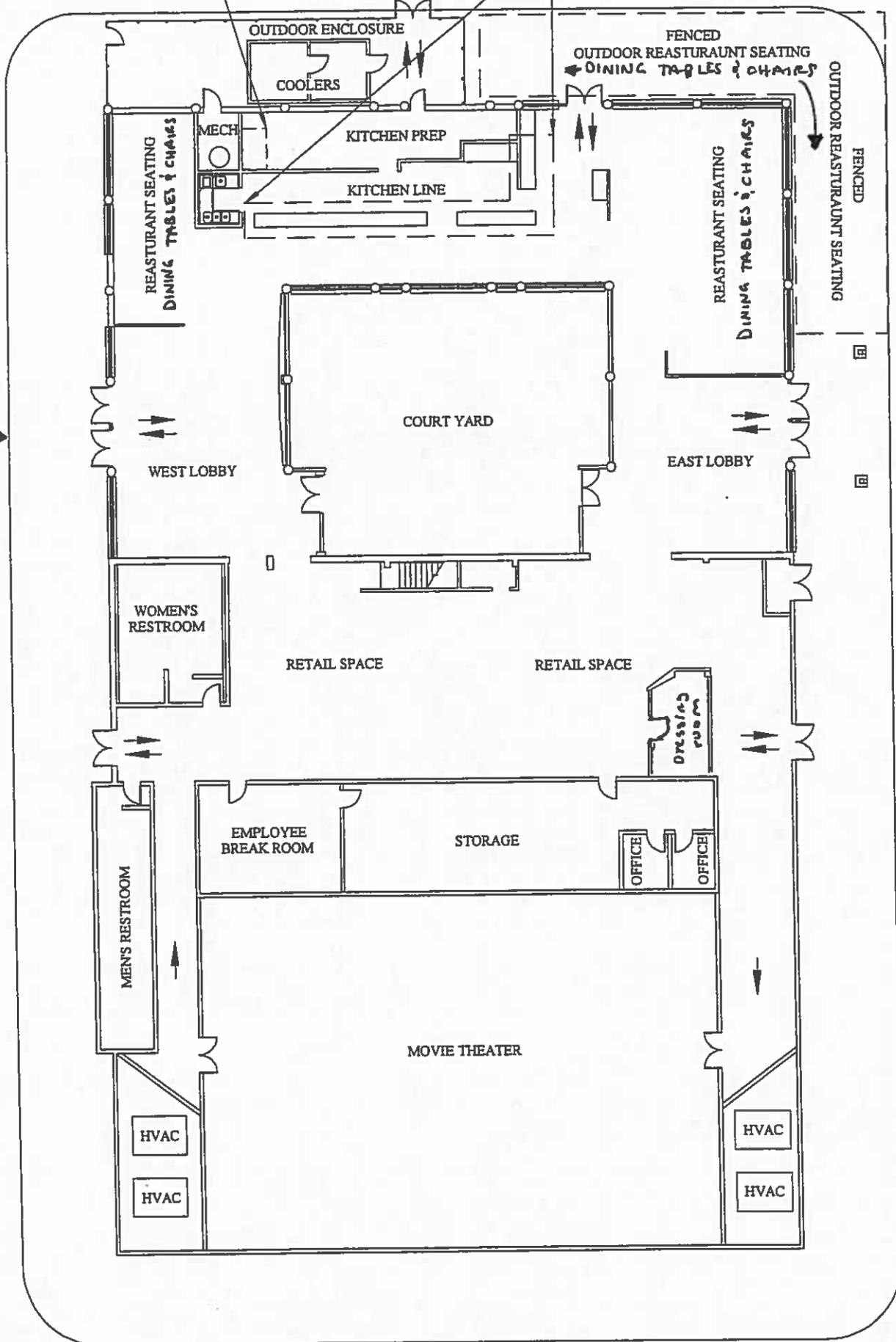
DIAGRAM ATTACHED

BEER & WINE STORAGE

BEER & WINE SALES

TOTAL SQ FT 25,000

15 DEC 10 Lic. Lic. #11149



*Consumption area* →

N ↑

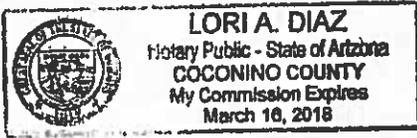
**SECTION 17 SIGNATURE BLOCK**

15 DEC 10 Liq. Lic. #11149

I, (Print Full Name) Janet Marie Rosener, hereby declare that I am the Owner/Agent filing this application as stated in Section 4 # 1. I have read this application and verify all statements to be true, correct and complete.

X (Signature) *Janet Marie Rosener*

State of Arizona County of Coconino



The foregoing instrument was acknowledged before me this

12<sup>th</sup> of November, 2015

Day Month Year

My commission expires on: 3/18/2018

*Lori A. Diaz*  
Signature of NOTARY PUBLIC

**A.R.S. § 41-1030. Invalidity of rules not made according to this chapter; prohibited agency action; prohibited acts by state employees; enforcement; notice**

B. An agency shall not base a licensing decision in whole or in part on a licensing requirement or condition that is not specifically authorized by statute, rule or state tribal gaming compact. A general grant of authority in statute does not constitute a basis for imposing a licensing requirement or condition unless a rule is made pursuant to that general grant of authority that specifically authorizes the requirement or condition.

D. THIS SECTION MAY BE ENFORCED IN A PRIVATE CIVIL ACTION AND RELIEF MAY BE AWARDED AGAINST THE STATE. THE COURT MAY AWARD REASONABLE ATTORNEY FEES, DAMAGES AND ALL FEES ASSOCIATED WITH THE LICENSE APPLICATION TO A PARTY THAT PREVAILS IN AN ACTION AGAINST THE STATE FOR A VIOLATION OF THIS SECTION.

E. A STATE EMPLOYEE MAY NOT INTENTIONALLY OR KNOWINGLY VIOLATE THIS SECTION. A VIOLATION OF THIS SECTION IS CAUSE FOR DISCIPLINARY ACTION OR DISMISSAL PURSUANT TO THE AGENCY'S ADOPTED PERSONNEL POLICY.

F. THIS SECTION DOES NOT ABROGATE THE IMMUNITY PROVIDED BY SECTION 12-820.01 OR 12-820.02.

**ITEM NO. 8B & 8C**

**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**

---

**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.

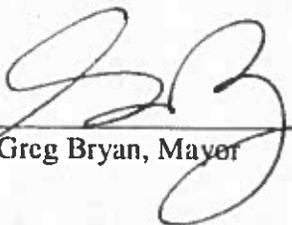
Section 1. Adoption by Reference. Pursuant to A.R.S. § 9-802 (as amended) the Town hereby adopts Chapter 2 of the Town Code that is declared a public record pursuant to Resolution No. 2015-01 and is attached hereto.

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.

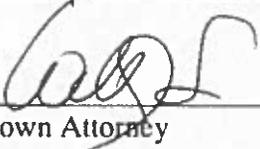
**PASSED AND ADOPTED** by 5 members of the Council of the Town of Tusayan, on March 4, 2015, to be effective when publication and posting, pursuant to A.R.S. § 9-812, is completed.

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

**ATTEST:**

  
\_\_\_\_\_  
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."**

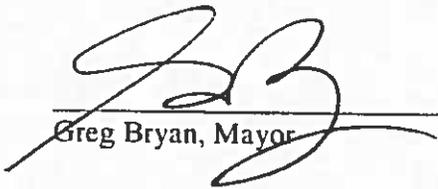
**WHEREAS**, that certain document entitled "Chapter 2 of the Town Code", attached hereto, three copies of which shall be filed in the office of the Town Clerk pursuant to this Resolution and have been ordered to remain on file with the Town Clerk

**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

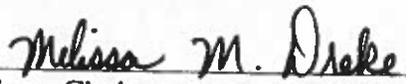
**WHEREAS**, the document entitled "Chapter 2 of Town Code" is a lengthy ordinance to be adopted by Ordinance 2015-01, and which would qualify for enactment by reference

**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**

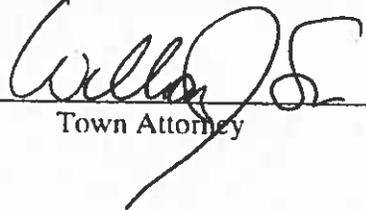
**PASSED AND ADOPTED** by the Mayor and Town Council of the Town of Tusayan, Arizona this 4<sup>TH</sup> day of March -, 2015.

  
\_\_\_\_\_  
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 .