

## **TUSAYAN TOWN COUNCIL REGULAR MEETING**

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

Wednesday, September 4, 2013 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 6:02pm and the Pledge of Allegiance was recited.

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

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

Also present were:

Will Wright, Town Manager  
Melissa Malone, Town Clerk

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

Kevin Hartigan of APS spoke about a flood event on Saturday. The basement of McDonald's flooded.

Vice Mayor Montoya spoke to the Council urging them to abbreviate comments and reduce redundancy at Council meetings to make better use of time.

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

None

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

**A. Minutes of the Town Council Regular Meeting on 8/21/13**

**B. Accounts Payable Billings**

Councilmember Rueter made a motion to approve the Consent Agenda.  
Councilmember Fitzgerald seconded the motion and it passed on unanimous vote.

#### **6. COMMITTEE REPORTS**

**A. Update from the Community Park Committee**

Kevin Hartigan, speaking on behalf of the Grand Canyon School District and the Park Committee, gave an update on the Community Park and the work to be done soon.

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

None

**7. ACTION ITEMS**

Mayor Bryan announced that Item 7.B. will be moved to the end of the meeting.

**A. Consideration, discussion, and possible approval of Special Event Liquor License Application by Kaibab Learning Center and request to waive Town application fee**

Manager Wright introduced the application and recommended approval and waiver of the Town fees for the application. Lori Rommel, representing the applicant, described the Special Event.

Councilmember Rueter made a motion to approve the application for a Special Event Liquor License. Councilmember Fitzgerald seconded the motion and it passed on unanimous vote.

Mayor Bryan made a motion to waive the application fee for Kaibab Learning Center since it is a non-profit organization. Councilmember Rueter seconded the motion and it passed on unanimous vote.

**C. Consideration, discussion, and possible approval of Resolution 2013-11 establishing Park Rules for the Town of Tusayan**

Manager Wright introduced the draft agreement for Park Rules and discussed the information he gathered from the Town Attorney on questions from the Council in last night's Workshop.

Former Mayor Pete Shearer requested that the School District be allowed to review and comment on the rules prior to approval. Mayor Bryan stated that was the intention.

Councilmember Sanderson made a motion to approve the draft Resolution and send it on to the School District for their approval. Vice Mayor Montoya seconded the motion and after a brief discussion, the Council passed it on unanimous vote.

**D. Consideration, discussion, and possible approval of Resolutions 2013-12 and 2013-13 and two agreements joining the Arizona State Retirement System (ASRS)**

Manager Wright introduced the Resolutions, Agreements, and a memo he had prepared. He made the recommendation that the Council approve the Resolutions and Agreements and the selection of Option 2 (funding the additional costs of benefits for all eligible employees attributable to service before the effective date) in Section 5 in the ASRS Agreement starting coverage on July 1, 2013. He also recommended that the Town not contribute to the Nationwide

Supplemental Plan as discussed previously. He also stated that the decision made here with ASRS is irrevocable.

The Council discussed the options and Manager Wright and Mayor Bryan briefed the Council on conversations with ASRS representatives which took place earlier today.

Councilmember Fitzgerald made a motion to approve Resolutions 2013-12 and 2013-13 and the two agreements required to join ASRS, selecting Option 2 in Section 5 of the ASRS Agreement, and naming the Town Manager as the Town's Representative for the agreements. Vice Mayor Montoya seconded the motion and it passed on unanimous vote.

**E. Consideration, discussion, and possible approval of the next phase of the Broadband Project with NI Solutions**

Manager Wright introduced the new proposal for \$7,500 from NI Solutions to perform Task 1 (Cost Comparison Analysis) requested by the Council at the last Regular Meeting.

The Council discussed the options and costs proposed. Councilmember Rueter stated that he could not support moving ahead with this proposal. Kevin Hartigan, from APS, stated that the estimate for creating an underground network of \$200,000 is low compared to what it would actually cost.

Manager Wright reported on his conversations with NI Solutions and the justifications presented to him for the costs.

Councilmember Rueter requested that the Council direct Manager Wright to seek proposals from other vendors for this cost comparison analysis. The Council directed Manager Wright to do so.

**9. DISCUSSION ITEMS**

None

**10. TOWN MANAGER'S REPORT**

Manager Wright introduced and discussed his Manager's Report which was included in the Agenda Packet. He covered:

- Joining the State Surplus purchasing group
- Possibly joining the Local Government Investment Pool
- CDBG – he received a letter from the Department of Housing confirming conditional reserving of funding. Manager Wright will forward the letter to the Council and will contact the State to clarify a few issues.
- National Geographic mural request. Mayor Bryan suggested that Manager Wright discuss prior CUPs regarding this issue with former Interim Manager Tami Ryall.
- Arizona Trail Gateway Community signage
- Flood Study information
- Continuing issues with the audio/visual equipment and vendor
- Municipal Code Workshops continuing

- General Plan 60-Day comment period (The Council would like the document to come back before the Council before it is sent to other entities.) Richard Turner should red-line changes to highlight them.

## 11. FUTURE AGENDA ITEMS

- 9/18/13
  - Move the topic of the Municipal Code Chapter 7 to the Workshop on October 1 (and ask Roger Brooks to attend the meeting) and push back the schedule
- 10/2/13
  - Update on AIRS

## 12. COUNCIL MEMBERS' REPORTS

Councilmember Fitzgerald asked about the service organization signs which have been down since ADOT began improvements on Highway 64 through Town. Mayor Bryan located them but stated that they are in poor condition and should be replaced. He directed the Town Manager to contact ADOT regarding requirements or permits and to contact the Rotary Club, Lions Club, and American Legion about replacing the signs.

## 13. MAYOR'S REPORT

None

## 7.B. Discussion of the Stilo Development Project

**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 the Town Attorney on asserting remedies pursuant to the current Stilo Development Agreement and to give the Town Attorney and Town negotiating representatives directions regarding negotiations concerning an amendment to the Stilo Development Agreement.**

**Following the executive session the Town Council may take action to either approve a conceptual draft First Amendment to the Stilo Development Agreement and direct that such draft be provided for public comment or give the Town Attorney direction regarding asserting remedies under the current Stilo Development Agreement.**

At 7:30pm, Councilmember Rueter recused himself from this topic due to his employment with Camper Village and left the meeting

Vice Mayor Montoya made a motion to take the Council into executive session. Councilmember Sanderson seconded the motion it passed on unanimous vote.

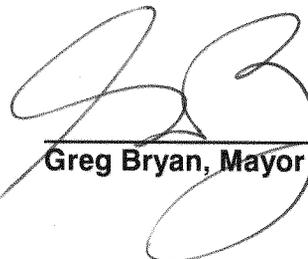
The Council discussed the Stilo Development Project with the Town Attorney via phone.

At 9:13pm, Vice Mayor Montoya made a motion to exit executive session and return the Council to open session. Councilmember Sanderson seconded the motion it passed on unanimous vote.

Mayor Bryan made a public statement that The Town Council gave direction to the Town Attorney to cancel mediation and to prepare a final draft of the first amendment to the Stilo Development Agreement for the Council's review at the September 18, 2013 meeting.

**14. MOTION TO ADJOURN**

Councilmember Fitzgerald made a motion to adjourn the meeting at 9:15pm.  
Councilmember Sanderson seconded the motion and it passed on unanimous vote.

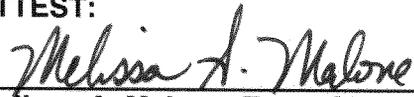


Greg Bryan, Mayor

9/18/13

Date

ATTEST:



Melissa A. Malone, Town Clerk

**CERTIFICATION**

State of Arizona        )  
                                  ) ss.  
Coconino County        )

I, Melissa Malone, do hereby certify that I am the Town Clerk of the Town of Tusayan, County of Coconino, State of Arizona, and that the above minutes are a true and correct summary of the meeting of the Council of the Town of Tusayan held on September 4, 2013. I further certify that the meeting was duly called and held, and that a quorum was present.

DATED this 5<sup>th</sup> day of September, 2013.

  
Melissa A. Malone  
Town Clerk