

## AGENDA

### TUSAYAN TOWN COUNCIL REGULAR MEETING

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

Wednesday, December 4, 2013 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 4, 2013 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 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

MAYOR GREG BRYAN  
VICE MAYOR AL MONTOYA

COUNCILMEMBER BILL FITZGERALD  
COUNCILMEMBER JOHN RUETER  
COUNCILMEMBER CRAIG SANDERSON

❖ *One or two Council Members may attend by telephone*

#### 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

- A. Presentation from Tami Ryall & Pat Walker on Town of Tusayan Permit Fee Study
- B. Presentation from Larry Phoenix with the Arizona Game and Fish Department on approaching and feeding wildlife

**5. CONSENT AGENDA**

ITEMS ON THE CONSENT AGENDA ARE ROUTINE IN NATURE AND WILL BE ACTED ON WITH ONE MOTION AND ONE VOTE. PUBLIC HEARING ITEMS ARE DESIGNATED WITH AN ASTERISK (\*). 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 11/20/13 and Special Meeting on 11/20/13
- B. Accounts Payable Billings

**6. COMMITTEE REPORTS**

- A. Update on the Community Park Committee
- B. Update on the Planning and Zoning Commission

**7. ACTION ITEM**

- A. Consideration, discussion, and possible approval of Park Rules, Resolution No. 2013-11 (revised with Town Attorney's addition to Rule #2)
- B. Consideration, discussion, and possible action to direct staff to proceed with the purchase of Bobcat maintenance equipment

**8. DISCUSSION ITEMS**

None

**9. TOWN MANAGER'S REPORT**

**10. FUTURE AGENDA ITEMS**

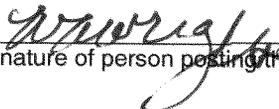
**11. COUNCIL MEMBERS' REPORTS**

**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 27<sup>th</sup> day of November 2013, at 10:15 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 20, 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 6:22pm and the Pledge of Allegiance was recited.

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

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

Also present were:

Will Wright, 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**

##### **Presentation from Matthew Nelson of the Arizona Trail Association**

Matthew Nelson gave an overview of the Arizona Trail and the Arizona Trail Association. He spoke about Tusayan as a "Gateway Community" to the Arizona Trail and benefits to the Town and the Association.

A letter of support to ADOT from the Town is needed to get the encroachment permit for the Gateway Community sign.

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

##### **A. Minutes of the Town Council Workshop on 11/6/13, Regular Meeting on 11/6/13, and Special Meeting on 11/13/13**

##### **B. Accounts Payable Billings**

Vice Mayor Montoya made a motion to approve the Consent Agenda and recused himself on a reimbursement item for himself. Councilmember Sanderson seconded the motion and it passed on unanimous vote.

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

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

Kevin Hartigan, School Board Member, presented an update on the status of the Community Park and the clearing work performed by Coconino Rural Environment Corps in October and more recent work removing stumps. Additional clearing will be done after Thanksgiving.

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

None

**7. ACTION ITEMS**

**A. Consideration, discussion, and possible adoption of Municipal Code Chapter 13, Parks and Recreation**

Manager Wright introduced Chapter 13 of the Municipal Code which the Council has considered in previous workshops.

Councilmember Fitzgerald made a motion to adopt Chapter 13 of the Municipal Code. Councilmember Sanderson seconded the motion and it passed on unanimous vote.

**B. Consideration, discussion, and possible approval of Park Rules, Resolution No. 2013-11**

Manager Wright introduced Resolution No. 2013-11 of the Municipal Code which the Council and the Grand Canyon School District has considered in previous meetings. This version of the rules incorporates requests from the School District.

Vice Mayor Montoya made a motion to approve Resolution No. 2013-11. Councilmember Sanderson seconded the motion and it passed on unanimous vote.

**C. Consideration, discussion, and possible action on the First Amendment to the Pre-Annexation Development Agreement (PADA) between the Town and the Stilo Group and approval of Resolution No. 2013-15**

Councilmember Rueter recused himself based on his employment at Camper Village.

Mayor Bryan stated that the Council has directed staff to continue enforcing the "Stop Work Order" which was issued on 11/13/13 at Camper Village, the site of the Temporary Housing project. He also stated that work was allowed to continue on 11/14/13 and 11/15/13 but only to remediate the dangerous worksite. A site plan and design review will be required before work can continue at Camper Village and before the Council will consider approval of the First Amendment to the PADA.

The Stilo Group will be given 45 days to comply with site plan and design review requirements. The Mayor stated that the PADA is still in effect.

## **8. DISCUSSION ITEMS**

None

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

Manager Wright asked if there were any questions on his staff report which was in the packet. He did give an overview of the following:

- information on the sprinkler system along the Highway 64 improvements in Town and the walk-through with ADOT
- a special event application is now required by ADOT to place the holiday lights on the light posts along Highway 64
- NACOG is working on the environmental review for the CDBG project
- Manager Wright sent a request for information regarding additional safety options for crosswalks in Town but has not yet received a response.

Vice Mayor Montoya asked about snow removal and whether the Town maintenance worker will take on the task and what equipment is needed. Manager Wright will report back to the Council with estimated costs for various equipment options including the possible purchase of a "Tool-cat" or a truck.

## **10. FUTURE AGENDA ITEMS**

- Report on the annual audit
- Arizona Trail signage
- Capital Projects
- Coconino County Sherriff's Office report
- Schedule Retreat after the first of the year, possibly Feb 15<sup>th</sup> or 16<sup>th</sup>

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

None

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

Mayor Bryan and Manager Wright met with Chase Bank today about investment opportunities for the Town. The Mayor stated that they are keeping in mind possible major capital expenditures in the next 3 years or so:

- Broadband
- Infrastructure for access to Kotzin Ranch
- Housing

The Mayor also stated that Legislation to allow 3<sup>rd</sup> party contributions to keep National Parks open during future federal government shutdowns is in progress. US Senator Jeff Flake submitted legislation today and there should be a press release tomorrow. This bill would require the federal government to work with municipalities and states to keep National Parks open if funds are offered. It has bi-partisan support nationally.

The Coconino Plateau Water Advisory Council is still working on water options for Northern Arizona. Sedona is recharging the aquifer with reclaimed water.

**13. MOTION TO ADJOURN**

Vice Mayor Montoya made a motion to adjourn the meeting at 7:47pm. Councilmember Sanderson seconded the motion and it passed on unanimous vote.

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

**ATTEST:**

\_\_\_\_\_  
Melissa M. Drake, Town Clerk

**CERTIFICATION**

State of Arizona            )  
  ) ss.  
Coconino County            )

I, Melissa M. Drake, 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 November 20, 2013. I further certify that the meeting was duly called and held, and that a quorum was present.

DATED this 26<sup>th</sup> day of November, 2013

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

**TUSAYAN TOWN COUNCIL SPECIAL MEETING**  
PURSUANT TO A.R.S. 38-431.02 & 38-431.03  
WEDNESDAY, NOVEMBER 20, 2013 @ 5:15 PM  
TUSAYAN TOWN HALL  
845 Mustang Drive, Tusayan, AZ 86023

**TUSAYAN TOWN COUNCIL SPECIAL MEETING SUMMARIZED MINUTES**

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

Mayor Bryan called the meeting to order at 5:17 pm and recited the Pledge of Allegiance.

**2. ROLL CALL**

Upon roll call the following were present:

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

**COUNCILMEMBER JOHN RUETER RECUSED HIMSELF DUE TO HIS  
EMPLOYMENT AT CAMPER VILLAGE AND WAS NOT PRESENT.**

Also present were:

Will Wright, Town Manager  
Bill Sims, Town Attorney – via phone  
Melissa M. Drake, Town Clerk

**3. ACTION ITEM**

**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 current Stilo Development Agreement, the draft First Amendment, and the site plan review process for Camper Village. Following the executive session, the Town Council may elect to go into open session and to give the Town Attorney and Town negotiating representatives directions regarding negotiations concerning an amendment to the Stilo Development Agreement and the site plan review process for Camper Village.**

At 5:18pm, Councilmember Sanderson made a motion to take the Council into executive session. Vice Mayor Montoya seconded the motion and it passed on unanimous vote.

The Council discussed the Stilo project with the Town Attorney via phone.

**4. MOTION TO ADJOURN**

Councilmember Sanderson made a motion to exit executive session and adjourn the meeting at 6:17pm. Vice mayor Montoya seconded the motion and it passed on unanimous vote.

**ATTEST:**

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

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Melissa M. Drake, Town Clerk**

**CERTIFICATION**

State of Arizona )

) ss.

Coconino County )

I, Will Wright, 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 November 20, 2013. I further certify that the meeting was duly called and held, and that a quorum was present.

DATED this 21<sup>st</sup> day of November, 2013

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

ITEM NO. 7A

## RESOLUTION NO. 2013-11

### A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF TUSAYAN, COCONINO COUNTY, ARIZONA ESTABLISHING RULES AND REGULATIONS CONCERNING TOWN OF TUSAYAN PARKS

**WHEREAS**, the Town of Tusayan has a community park within the Town and may have future parks that are maintained by the Town; and

**WHEREAS**, to enjoy the quiet, orderly and suitable use of the parks in a safe, healthy and comfortable environment for all those who share in that use, certain rules and regulations are needed; and

**WHEREAS**, once a school has been built onsite, rules and regulations concerning smoking tobacco will be reevaluated by the school board; and

**WHEREAS**, a comprehensive view of the rules regarding parks has been undertaken,

**WHEREAS**, Chapter 13 of the Tusayan Municipal Code, when enacted, will require that the Town Council, by resolution with support from the Grand Canyon Unified School District #4, adopt, and from time to time amend, rules and regulations governing public parks; and

**WHEREAS**, these Rules and Regulations are effective now pursuant to Arizona Revised Statutes Section 9-424 and are adopted in anticipation of the effectiveness of Chapter 13

**NOW THEREFORE, IT IS RESOLVED**, that the Town Council establishes the following rules governing parks in Tusayan shall apply and are hereby adopted:

#### PARK RULES

1. Open from 6 a.m. to 10:30 p.m. and no use after hours when closed.
2. In addition to all other applicable immunity statutes, the Town of Tusayan, Grand Canyon Unified School District, its officers, employees, and agents shall be immune from liability to recreational and educational users of the Park pursuant to A.R.S. Section 33-1551.
3. Please report any rule violations to the Coconino Sheriff's Department at 928-226-5012 or to the Town Hall at 928-638-9909.
4. It is unlawful to obstruct town or school district officials in the performance of their official duties.
5. Motorized vehicles (including ATVs, skateboards) are restricted to parking areas.
6. No overnight parking or camping.
7. All animals must be on a leash and are not allowed in fenced areas at any time. All animal waste must be removed.

8. No fires, except in grills designated for such use.
9. No drugs or alcoholic beverages allowed in the park or parking lot.
10. Smoking and tobacco products only allowed in designated areas and no smoking or tobacco products in fenced areas or restrooms.
11. No possession of glass containers in park or parking lot.
12. No damage, change, or removal of park property.
13. No discarding of litter or trash, except in trash receptacles.
14. No hitting golf balls, shooting arrows, slingshots or paintballs unless part of a School or Town sanctioned activity. No explosives or firearms are permitted in the park.
15. No loud music, profanity, offensive, or disruptive behavior.
16. No hunting, feeding, or harassing animals.
17. No advertising or soliciting goods or services without a permit.
18. No unauthorized signs allowed.
19. The Town of Tusayan reserves the right to deny any activity or event proposed to be conducted in the park.
20. Children are to be supervised at all times. Parents are responsible for the actions of their children.

**PASSED AND ADOPTED BY** the Mayor and Council of the Town of Tusayan, Arizona this 4<sup>th</sup> day of December, 2013.

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

**ATTEST:**

\_\_\_\_\_  
Melissa M. Drake, Town Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
William Sims, Town Attorney

ITEM NO. 9

Manager's Report  
December 4, 2013

- I. ADMINISTRATION:
  - a) I've visited State Surplus hoping to find deals on functional equipment, etc. for town and have contacted State Procurement to be able to use that purchasing cooperative.
  - b) I'm still reviewing the Local Government Investment Pool (LGIP) material, which requires Council approval to invest in this program and have spoken with Chase Bank who is putting together an investment strategy for the town to consider.
  
- II. ADOT – Tim and I met with Anthony Jaramillo of ADOT and Lupe of Land Tech on Wednesday the 13<sup>th</sup> to winterize the sprinkler system. Steve Monroe of ADOT sent an email indicating that this project had not been turned over to the town as initially reported by Rod Stanger who is a consultant for ADOT on this project. He had on October 29<sup>th</sup> told staff that he thought the town had assumed responsibility for the maintenance of the landscaping, sprinkler system and sidewalk improvements for this project. So we will continue to communicate with ADOT officials about this project and our responsibilities moving forward.

Received a visit from Chuck King of ADOT in answer to my email to Warren Sutphen and was given a Special Event Permit Application for the placement of the Christmas lights on the light poles through town. Also learned that our request to understand the replacement of the pole to hold the service agencies banners was deficient and on administrative hold pending supplying additional information such as certificate of insurance, traffic control plan, design plans, et cetera.
  
- III. AIRS – Mark Venuti, who works for Guardian and sits on the AIRS board, made a presentation at the October 2nd Council meeting on the AIRS program. He gave good information and direction for the town to join this program, but it will cost approximately \$35,000. This will be a discussion for next year's budget.
  
- IV. BROADBAND – I talked with Bill Bolin, contractor for IT for Coconino County and Jim Simms, another IT business owner familiar with Coconino County and Tusayan. They sent some follow up questions to our discussion and then will come to make a presentation to the Council in the next couple of months. Bill and Jim are going to be following up with me to get a better idea of what is needed to proceed with improvements to our system.
  
- V. BUDGET – completed for FY 2014 at about the same amounts as last fiscal year.
  
- VI. CDBG – The Town responded to the letter from ADOH regarding CDBG application for park improvements (restroom facilities). The town received a letter of conditional reservation of funding with items to submit for clarification of this project. NACOG is currently working on ERR (environmental report) which is required before we get final approval for this project.
  
- VII. COMMUNITY PARK – CREC came the week of September 30 to clear and grub the 3 acre site and L.P.'s Excavating performed additional work removing stumps and with the assistance of the Sanitary District moved them to a Forest Service burn pit. In addition, I need to follow up with Art Babbott regarding the County Parks and Open Space (CPOS) program to express Tusayan's interest in participating in this program.

- VIII. COUNCIL FOLLOWUP:
- a) Fire District has hired Tyler Kroombeen EMT/FF and invoice represents financial obligation to them;
  - b) Coconino County Health Dept. submitted data on animal control that I emailed to Council; and
  - c) Council decided February 7<sup>th</sup> or 8<sup>th</sup> (Friday or Saturday) for a retreat.
- IX. DEVELOPMENT/P&Z MEETING – No items to be heard by P&Z. Draft General Plan is currently out for 60 public comment period which ends on November 21<sup>st</sup> and is tentatively planned for their December 17<sup>th</sup> meeting. A stop work order for Camper Village was issued on the November 14<sup>th</sup> until a development with design review is submitted, reviewed and approved by the Town Council. Stilo is working to be on the December 17<sup>th</sup> P&Z meeting and hopes to go to Council soon thereafter.
- X. DRAINAGE – J2 Engineering is starting phase 2 of the drainage study which will be under the \$40,000 cap for estimated costs for this study. I contacted ADOT for aerial maps of this area to assist J2's drainage study of Tusayan. However, ADOT has changed the way it responds to municipal requests for mapping and we've not received these maps as yet. Further, J2 will provide a proposal to do engineering for six drainage basins identified on Forest Service adjacent to the town to mitigate flooding in town. This grant is provided through the Secure Rural Schools program.
- XI. MUNICIPAL CODE – Working through a process of putting municipal code information together for the Council and committee to review according to schedule shown on future meetings. We looked at the Building Codes sections in early October 2013 and those changes will be brought for Council approval at a future meeting. I also forwarded information from Coconino Department of Health Services, who handles Animal Control Services in the County and the town will consider at a future Council meeting how we plan to proceed with receiving these services from the county.
- XII. PUBLIC OUTREACH – Larry Phoenix of the AZ Game and Fish will make a presentation on December 4<sup>th</sup> regarding approaching and feeding wildlife and what other communities in this region have recently done. Tami with IPM will also address the Council about the work she has been doing with Pat Walker on the town's permitting process.
- XIII. SIGNS – town hall signs were installed and still trying to find a way to add the address without spending about \$700. Also, will need signage for park with new rules which the Council approved the draft at their September 4<sup>th</sup> Council meeting, but forwarded them to the School for their input. I did find out that the Park Service creates signs that we may be able to utilize their service.
- XIV. STILO – The Stilo agreement is currently on hold until development issues with Camper Village are resolved. It is expected that Stilo will have a development plan with design review for the P&Z Commission by their December 17<sup>th</sup> meeting then it can go to Council shortly thereafter.