

AGENDA

TUSAYAN TOWN COUNCIL REGULAR MEETING

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

Wednesday, December 2, 2015 at 6:00pm

TUSAYAN TOWN HALL BUILDING

845 Mustang Drive, Tusayan Arizona

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 2, 2015 at the Tusayan Town Hall Building. If authorized by a majority vote of the Tusayan Town Council, an executive session may be held immediately after the vote and will not be open to the public. The Council may vote to go into executive session pursuant to A.R.S. § 38-431.03.A.3 for legal advice concerning any matter on the agenda, including those items set forth in the consent and regular agenda sections. The Town Council may change, in its discussion, the order in which any agenda items are discussed during the course of the meeting.

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

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

TOWN COUNCIL REGULAR MEETING AGENDA

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

2. ROLL CALL

One or two Council Members may attend by telephone

MAYOR GREG BRYAN

VICE MAYOR CRAIG SANDERSON

COUNCILMEMBER AL MONTOYA

COUNCILMEMBER JOHN RUETER

COUNCILMEMBER JOHN SCHOPPMANN

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

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

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

4. CEREMONIAL AND/OR INFORMATIONAL MATTERS

None

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.

Accounts Payable Billings

6. WORK GROUP AND COMMITTEE REPORTS

A. Update on the Sports Complex Work Group

B. Update on the Planning and Zoning Commission

C. Update on Affordable Housing

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

8. ACTION ITEMS

- A. Consideration, discussion, and possible approval of liquor license application for Wagon Wheel**
- B. Consideration, discussion, and possible approval of Town of Tusayan Fiscal Policy (revised on direction of Council from 11/18/15)**
- C. Consideration, discussion, and possible approval of renewal of Certificates of Deposit**
- D. Consideration, discussion, and possible approval of investing in new Certificates of Deposit**
- E. 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.

9. DISCUSSION ITEMS

- A. Discussion of the Grand Canyon National Park shuttle service meeting**
- B. Discussion of the January 2016 Town Council Retreat**

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 November, 2015, at _____ pm in accordance with the statement filed by the Tusayan Town Council.

Signature of person posting the agenda

ITEM NO. 7 & 8A

TOWN OF TUSAYAN on the Edge of Grand Canyon National Park

RECEIVED
NOV 16 2015
BY: MMO

\$560 CK#
4980

LIQUOR LICENSE APPLICATION

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:

Wagon Wheel Winery, LLC

2. Business name (dba):

Wagon Wheel Winery, LLC

3. Business address:

PO Box 520, Grand Canyon, AZ 86023

(928) 638-2673
Business Phone

Ann@cprgc.com
E-mail address

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

Sale of Wagon Wheel Wine to licensed retailers.

5. Name of the person compiling this form:

Serna
Last

Louie
First

Middle Initial

Residence:

PO Box 520

Grand Canyon, AZ 86023

Street Address

City

State

Zip Code

Contact Information:

(928) 638-2673
Home Phone

()
Cell Phone

(928) 638-2673
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.

TOWN OF TUSAYAN on the Edge of Grand Canyon National Park

RECEIVED
NOV 16 2015
BY: M.M.O.

\$560 CK#
4980

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

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2. Business name (dba): Wagon Wheel Winery, LLC

3. Business address: PO Box 520, Grand Canyon, AZ 86023

(928) 638-2673
Business Phone

Ann@cprgc.com
E-mail address

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

Sale of Wagon Wheel Wine to licensed retailers.

5. Name of the person compiling this form:

Serna Louie
Last First Middle Initial

Residence:

PO Box 520 Grand Canyon, AZ 86023
Street Address City State Zip Code

Contact Information:

(928) 638-2673 () (928) 638-2673
Home Phone Cell Phone 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
Serna	Louie		100%	PO Box 520,	Grand Canyon, AZ 86023

*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? Business was recently established and has not yet had sales.
 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: hours will be very limited and will vary from day to day - daytime only
 Weekends: _____

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.

12. What type of Liquor License is being requested? Wholesale

13. Is this business currently in operation? Yes No
 If "no," what is the anticipated opening date? Begin sales upon receipt of liquor license.

14. Business Zoning Designation: _____

- 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.

Lauri Sene (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 9th day of November, 2015, by Deborah Duncan



Deborah Duncan
Notary Public



15 OCT 15 12:49 PM Dept AH 949

Arizona Department of Liquor Licenses and Control
800 W Washington 5th Floor
Phoenix, AZ 85007
www.azliquor.gov
(602) 542-6141

Application for Liquor License
Type or Print with Black Ink

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 # 04033011

1. Type of License: Wholesale L

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

- Individual Owner/Agent's Name: Sema, Louie Raul (Last First Middle) P1072001
Owner Name: Wagon Wheel Winery LLC (Ownership name for type of ownership checked on section 2) B1052772
Business Name: Wagon Wheel Winery (Exactly as it appears on the exterior of premises) B1052770
Business Location Address: 406 Canyon Plaza Lane, Grand Canyon, AZ 86023 Coconino (Do not use PO Box) (Street City State Zip Code County)
Mailing Address: P.O. Box 520 Grand Canyon, AZ 86023 (All correspondence will be mailed to this address) (Street City State Zip Code)
Business Phone: 928-638-3448 Daytime Contact Phone: 928-638-3448
Email Address: Louie@cprgc.com
Is the Business located within the incorporated limits of the above city or town? Yes No
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:
Total Price paid for Series 6 Bar, Series 7 Beer & Wine Bar or Series 9 Liquor Store (license only) \$

Fees: Application Interim Permit Site Inspection Finger Prints Total of All Fees
Department Use Only
Is Arizona Statement of Citizenship & Alien Status for State Benefits complete? Yes No
Accepted by: Date: License #



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

15 OCT 15 11:49 AM PH 1 34

Application for Liquor License
 Type or Print with Black Ink

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 # 04033011

1. Type of License: _____

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. 6-44-6852)

SECTION 4 Applicants

1. Individual Owner/Agent's Name: _____
Last First Middle

2. Owner Name: _____
(Ownership name for type of ownership checked on section 2)

3. Business Name: _____
(Exactly as it appears on the exterior of premises)

4. Business Location Address: 406 Canyon Plaza Ln Tusayan AZ 86023 Coconino
(Do not use PO Box) Street City State Zip Code County

5. Mailing Address: PO Box 520 Grand Canyon AZ 86023
(All correspondence will be mailed to this address) Street City State Zip Code

6. Business Phone: _____ Daytime Contact Phone: _____

7. Email Address: _____

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: Tusayan, Arizona

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

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

AMENDMENT

SECTION 6 - continued

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
 LLC. Complete Questions 1, 2, 3, 4, 5, 6, and 7

1. Name of Corporation/ LLC: Wagon Wheel Winery LLC
 2. Date Incorporated/Organized: 6/30/2011 State where Incorporated/Organized: AZ
 3. AZ Corporation or AZ LLC File No: L16905999 Date authorized to do Business in AZ: 6/30/2011
 4. Is Corp/LLC. Non Profit? Yes No CMA 7/7/2011
 5. List Directors, Officers, Members in Corporation/LLC:

Last	First	Middle	Title	Mailing Address	City	State	Zip Code
Serna, Louie R.			Manager	P.O. Box 520 Grand Canyon, Az.			86023

(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
Serna, Louie R.			100%	P.O. Box 520 Grand Canyon, Az.			86023

(Attach additional sheet if necessary)

7. If the corporation/ LLC 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 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: 8 miles Name of School: Grand Canyon School
(if less than one (1) mile note footage)
 Address: 1 Boulder St., Grand Canyon, Az, 86023

2. Distance to nearest Church: 8 miles Name of Church: Grand Canyon Community Church
(if less than one (1) mile note footage)
 Address: 39 Coconino 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: \$ 0

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)?

Sale of bottled wine to restaurants and grocery stores

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 #: 11031003 Individual Owner /Agent Name: Franz X. Rotter
(Exactly as it appears on license)

SECTION 15 Restaurant or hotel/motel license applicants

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 | Patio: <input 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.


(Applicant's Initials)

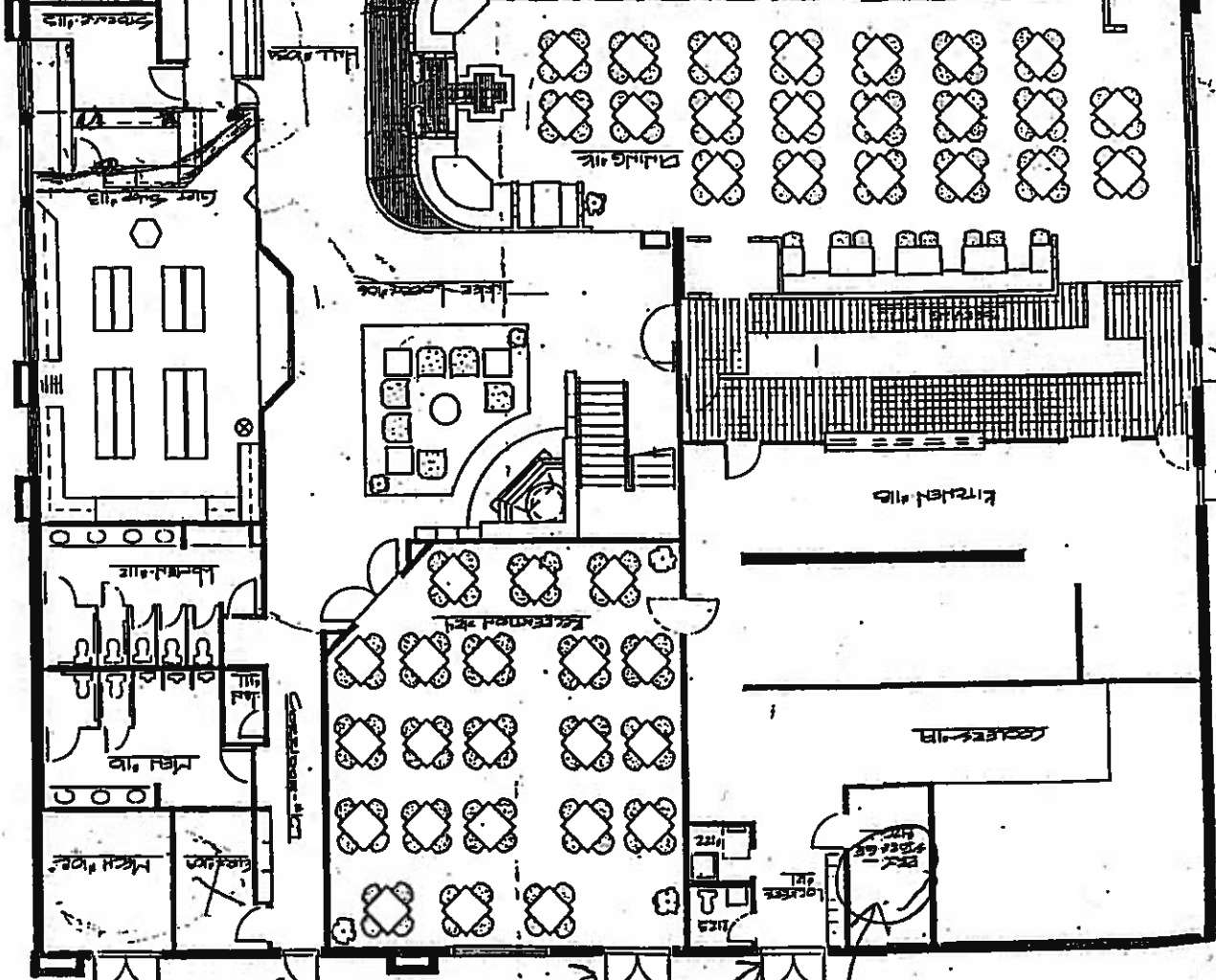
SECTION 16 Diagram of Premises – continued

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



Entrance/Exit

Entrance/Exit

Entrance/Exit

SECTION 17 SIGNATURE BLOCK

I, (Print Full Name) Louie Paul Serra, 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) *Louie Paul Serra*

State of Arizona County of Maricopa



The foregoing instrument was acknowledged before me this

7th of August, 2015

Day Month Year

[Signature]
Signature of NOTARY PUBLIC

My commission expires on: Aug 29, 2018

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.