

TUSAYAN TOWN COUNCIL PUBLIC HEARING AND MEETING

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

Wednesday, November 7, 2012 @ 6:00 P.M.

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 6:01pm and the Pledge of Allegiance was recited.

2. ROLL CALL

Upon roll call, the following were present:

**MAYOR BRYAN
VICE MAYOR MONTOYA**

**COUNCILMEMBER FITZGERALD
COUNCILMEMBER RUETER
COUNCILMEMBER SANDERSON**

Also present were:

Tami Ryall, Interim Town Manager
Richard Turner, Town Planner
Melissa Malone, Town Clerk
Robert Gossard, Planning and Zoning Chair

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

None

4. CEREMONIAL AND/OR INFORMATIONAL MATTERS

Flood Study Update – Former Mayor Pete Shearer

Former Mayor Pete Shearer gave an overview of the current status of the Flood Study. He stated that there may be additional funds available from the US Forest Service to complete our flood retention basin study. Tomorrow evening (November 8, 2012) there is an open house to show the project details. Within the Town, there are areas where improvements are needed to correct bottlenecks, small culverts, inadequate drainage ditches, etc. to improve the flooding situation. The USFS and Flood Study Engineers agree that a comprehensive survey and study must be initiated. Parking lots and rooftop runoff are contributing to the flood problem.

Nic Larson from the United States Forest Service (USFS) also discussed the meeting tomorrow (November 8, 2012) and noted that the project will not eliminate all flooding issues in Tusayan. He stated the USFS has applied for an additional \$57,000 for additional study and some design on retention basins.

5. OPEN PUBLIC HEARINGS (6:19pm)

A. Public Hearing on comprehensive revisions to the Town of Tusayan Zoning Ordinance. Case No. ZOA2012-01 (Ordinance No. 2012-04)

Robert Gossard, Planning and Zoning (P&Z) Chair, reviewed the process in developing the code. He thanked Richard Turner for his work on the project and Tami Ryall for her guidance. Councilmember Sanderson echoed Mr. Gossard's comments and praised the work of the P&Z Commission.

Richard Turner highlighted some changes to the code which he covered in his staff report (in the Agenda Packet). There have been 8 meetings of the P&Z Commission on this code and 2 Public Hearings prior to tonight.

B. Public Hearing on deleting Design Review Overlay Zoning. Case No. ZOA2012-02 (Ordinance No. 2012-05)

6. CLOSE PUBLIC HEARINGS (6:29pm)

7. ACTION ITEMS

A. Consideration, discussion, and possible approval of Resolution No. 2012-14 declaring the Planning and Zoning Ordinance of the Town of Tusayan, dated November 7, 2012, to be a Public Record and establishing a Planning and Zoning Ordinance of the Town of Tusayan

Vice Mayor Montoya moved to approve Resolution No. 2012-14 and Councilmember Rueter seconded the motion. The motion passed unanimously.

B. Consideration, discussion, and possible approval of Ordinance No. 2012-04 (Case No. ZOA2012-01) adopting by reference the establishment of the Planning and Zoning Ordinance, repealing Ordinance 2010-06-09-1 and all amendments thereto and prescribing penalties for violations thereof

Councilmember Fitzgerald asked if the Council required changes, does this have to go back to another Public Hearing? Mayor Bryan stated that he had spoken with the Town Attorney and learned that the Council could give specific instruction to staff for changes and approve here or can have the changes come back to Council for approval at another meeting but another Public Hearing is not required.

The Council directed staff to make the following changes;

Section 4 – on page 23, RMH should be Residential and Manufactured Home Zone, not Mobile

Section 7.3 – Penalties, on Page 30, the commercial or industrial penalties should max out at a higher number of days than 2, maybe 14 days.

Section 8.A. – Page 33, Apartment definition – change three families to one family and add a definition of apartment house

Section 8.D. – Page 37, should say single-family or two-family dwelling

Section 8.H. – Page 39, Hotel-Motel, staff housing may need to be longer than 30 days. Staff should clarify so that residential use (other than manager) should not be in a hotel.

Section 8.R. – Page 43, Recreational Facilities, “of” on the last line should be “or.” Recreational Vehicle Park should clarify that the owner stays with the vehicle, not just storage. Delete everything after “day-by-day basis.”

Section 8.S. – Page 45, add “modular” to “structure”

Section 9.6.C.5 – Page 56, delete hot tubs and spas so that it matches the same in Section 10

Section 9.4.H – Page 54, need criteria for approval, also in 10.3 & 10.7 on Page 66

Section 10.7.B.3 – Page 69, need environmental considerations/ efficiencies/ conservation in remodels.

Section 10.5 – Page 68, HAM Radio towers up can be up to 65 feet, should there be a light requirement? Richard Turner will check with airport manager about FAA regulations

Section 13.10 - Page 144 & Page 145, Special Purpose Zones, should say “except single-family and 2-family homes”

Section 15.2.C – Page 181, Tour Bus Parking, how many spaces credit should a business get for bus parking? Manager Ryall suggested that a study be conducted for parking next season to include re-evaluation of spaces credit.

8:13pm – 10-MINUTE BREAK

Section 16.1 – Banners, Page 186, need to address community banners which may span across a street, on light poles, etc. Manager Ryall stated that a new category will be created to distinguish that situation from a banner.

Section 19.6.C – Page 229, It should say that a nonconforming mobile home may not be replaced with another nonconforming mobile home. Delete “discrete parcel.”

The code with the changes described tonight will be brought back before the Council at the meeting on Dec. 5, 2012. A summary of changes will be in the staff report.

No action was taken on the Ordinance.

C. Consideration, discussion, and possible approval of Ordinance No. 20112-05 (Case No. ZOA2012-02) deleting the Design Review Overlay and including the provisions of the Design Review Overlay in the revised Planning and Zoning Ordinance

No action taken

D. Consideration, discussion, and possible approval of a contract with Willdan Engineering for development of a General Plan for the Town of Tusayan

Manager Ryall presented an overview of the General Plan development schedule and the Council discussed points of the schedule and the contract.

Councilmember Rueter asked if Richard Turner would be the designated planner on this project. Richard Turner stated that he was the only planner on the Willdan staff and has no plans to leave. Mayor Bryan asked if other proposals had been considered. Manager Ryall stated that she had looked at proposals from other firms but Richard Turner's experience was much greater. The others were also considerably higher in cost.

Councilmember Rueter moved to approve the contract with a start date after the beginning of the year. Councilmember Sanderson seconded the motion and it was approved by unanimous vote.

E. Consideration, discussion, and possible approval of Resolution No. 2012-12 urging the Arizona Legislature to renew its support of the Arizona State Parks System

Mayor Bryan moved to approve Resolution No. 2012-12 and Councilmember Rueter seconded the motion. It passed on unanimous vote.

F. Consideration, discussion, and possible approval of Resolution No. 2012-13 supporting the repeal of Arizona House Bill 2826

Councilmember Rueter moved to approve Resolution No. 2012-13 and Councilmember Sanderson seconded the motion. It passed on unanimous vote.

G. Consideration, discussion, and possible approval of moving the Tusayan Town Council Meeting scheduled for Wednesday, November 21, 2012, 6:00pm to Tuesday, November 20, 2012, 4:00pm

Councilmember Rueter moved to approve the change of schedule for the meeting as listed and Councilmember Sanderson seconded the motion. It passed on unanimous vote.

8. CONSENT AGENDA

Accounts Payable Billings

Councilmember Sanderson recused himself on a specific item of reimbursement to himself. Councilmember Fitzgerald asked for total on last page of check detail on future reports. Councilmember Rueter moved to approve the Accounts Payable Billings. Councilmember Fitzgerald seconded the motion and it passed on unanimous vote.

9. DISCUSSION ITEMS

10. COMMITTEE REPORTS

11. TOWN MANAGER'S REPORT

Manager Ryall stated that she has placed the order for the employee housing units. She also said that the contractors hit rock while digging the trench for utilities for one unit which may impact the project.

12. FUTURE AGENDA ITEMS

- The meeting on 11/14 will begin at 5:30pm after the Public Hearing
- The Planning and Zoning Code changes from today will be addressed in the meeting scheduled for December 5, 2012

13. COUNCIL MEMBERS' REPORTS

None

14. MAYOR'S REPORT

- Transaction Privilege Tax Task Force Report – Document attached to Agenda Packet
- A meeting is scheduled with the National Park Service Superintendent at the end of the month to discuss broadband, shuttle bus, and development
- Discussions with broadband vendors are continuing
- Will be attending the Arizona Digital Connection conference
- Met with the Northern Arizona Council of Governments (NACOG) two weeks ago and the Coconino Plateau Water Advisory Council
- There were 48 applicants for Town Manager position. We have reduced the list to 5 and we will conduct telephone interviews at the end of November and hope to have the permanent person in place in January.

15. MOTION TO ADJOURN

Councilmember Rueter moved to adjourn the meeting at 10:01pm. Vice Mayor seconded the motion and it passed on unanimous vote.

