

TUSAYAN TOWN COUNCIL MUNICIPAL CODE WORKSHOP

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

Tuesday, October 2, 2012 at 5:00 P.M.

TUSAYAN TOWN HALL

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 5:05 pm 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 SANDERSON
COUNCILMEMBER RUETER**

Also Present:

Tami Ryall, Interim Town Manager

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

No public comments were made.

4. ACTION ITEMS - MUNICIPAL CODES

A. Barking/Biting Dogs/Animal Noise or Disturbance

Interim Town Manager Ryall presented information and handouts on the animal control codes to be considered. Councilmember Rueter stated that whether or not part of animal control duties fell to the County or Sheriff's Office, a clear procedure for Tusayan should be in place. Councilmember Rueter noted that barking dogs and animal control are currently specifically excluded from the County Sheriff's contractual agreement.

Manager Ryall pointed out that often more than one issue was involved or developed when dealing with an animal disturbance complaint, and suggested that a downloadable form could be placed on the website for residents to gain collaboration on complaints (to avoid false complaints made for other reasons). Manager Ryall will further investigate how Coconino County currently handles vicious dog bites.

Councilmember Sanderson noted that since Tusayan incorporated, the County ordinances no longer apply unless the town adopted them. He read the barking dog section of the ordinance for consideration. Manager Ryall will gather more information from the County on what responsibilities the County is able to perform through the IGA and how those responsibilities/fines/consequences are to be enforced.

Manager Ryall presented changes made in the codes set for discussion by the Council today regarding dogs at large. Councilmember Rueter pointed out that dealing with the animals or their owners/complainants possibly amounted to two different types of law enforcement, and that enforcement of fine payment would also be an issue. He also noted the importance of prompt response to citizens.

Manager Ryall and the Council reviewed sections of the draft code, with the following results:

Section 6.1-2 – Dog at Large – By consensus, Council decided to await further research about the possibility of the County handling issue through the IGA.

Section 6:1-3 – Waste Removal – By consensus, Council decided to await further research about the possibility of the County handling issue through the IGA.

Section 6:1-4 – Licensing of Dogs – By consensus, Council decided to await further research about the possibility of the County handling issue through the IGA.

Manager Ryall will return with information after researching options and county responsibilities. She recommended that the Council consider making a decision this meeting regarding how animal cruelty/removal should be handled (in order to allow authority for Tusayan to handle such matters expeditiously). After more research by the Town Manager, action and responsibilities will be clearly defined.

The Council and Town Manager discussed procedure for capturing feral cats, and there was no need to add a section to the code.

B. Parks and Recreation

Section 13 – Mayor Bryan suggested revising “General Provisions” to include language reflecting Parks and Recreation areas managed and/or owned by the town. Ramada rental fees were discussed and Councilmembers Rueter and Fitzgerald expressed the need for a cleaning fee, in addition to a low rental fee (with clear wording to renters that the clean-up fee would be non-refundable if property was not left in good order). Mayor Bryan suggested placing signage at the parks and recreation areas that were available for public use, to note that reservations would take precedence. Town Manager Ryall suggested the reservation fee include cardboard trash containers for residents’ use in order to encourage clean-up (refundable deposit to be paid by separate check; thereby eliminating the need to process credit card payments or refunds; if the residents did not meet agreement, the check would then be processed). Town Manager Ryall stated that a rental agreement should be included with each reservation to define renters’ liability.

Manager Ryall suggested developing clear rules for obtaining a liquor license for special events to clarify the procedure and deter liquor on premises without a permit. Mayor Bryan noted that obtaining a license through the State’s Liquor Licensing Board could take at least two weeks. He added that an official response regarding the school policy on liquor at reserved areas was crucial in order to move forward. The Town Manager suggested a policy dialogue between the Council and the School Board to define all aspects of the matter.

By consensus, Council agreed to send a letter to the School Board outlining their wishes and asking for clarification on the School Board’s stance (as IGA partners) on special events-only alcohol permits with an approved liquor license from the State Board

of Liquor Licensing required. Manager Ryall cautioned the mixing of sports and alcohol, and suggested that liquor licenses and use be allowed in the ramada area only.

By consensus, Council agreed not to address outside smoking except to post a "No Smoking Inside Ramada" sign, and to place heavy duty concrete ashtrays in one or two areas to designate particular smoking spots. Manager Ryall will request School Board's opinion on the matter in letter from Council.

By consensus, Council agreed to post park notices regarding animals being leashed and having waste pick-up performed by owners.

[Five-minute break at 1:51.12.6] – Back in session at 7:10 p.m.

C. Chapter 11 – Offenses

Interim Town Manager Ryall introduced this item, and Council reviewed section by section:

Dangerous construction – Council accepted

Excavations covered – Council accepted with the change of excluding the words "to be covered"

Curfew for Minors – Council decided section A.b, and A.c. were contradictory so chose to delete section A.c. altogether; and add wording to Section A.b, that would cover juveniles going to and from work, church, municipal or school functions.

Mayor Bryan polled the Council on whether or not code should set a time for curfew and the results were:

- Mayor Bryan – curfew
- Councilmember Sanderson – curfew
- Councilmember Rueter – curfew
- Councilmember Fitzgerald – no curfew
- Vice Mayor Montoya – no curfew

After discussion, it was decided that the curfew should run from 11:00 p.m. to 5:00 a.m. seven days a week for anyone under 18, unless accompanied by parent, on an emergency errand, or going to and from employment, or engaging in municipal, religious or school activities.

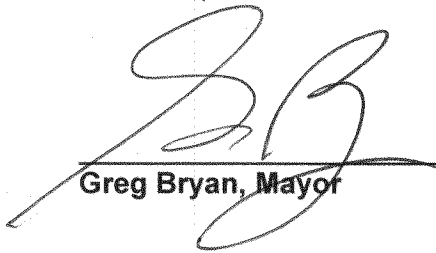
Mayor Bryan noted that the matter could be revisited in future, if necessary.

Council Member Fitzgerald asked for clarification of municipal functions, and Manager Ryall stated she would draft some wording for Council's review.

Loitering – Section 11-1-4 – By consensus, accepted as written.

5. MOTION TO ADJOURN

Vice Mayor Montoya moved to adjourn the meeting at 7:55 p.m. Councilmember Sanderson seconded the motion. The motion passed on unanimous vote.



Greg Bryan, Mayor

ATTEST:




Melissa A. Malone, Town Clerk

CERTIFICATION

State of Arizona)
) ss.
Coconino County)

I, Melissa A. Malone, do hereby certify that I am the Interim 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 October 2, 2012. I further certify that the meeting was duly called and held, and that a quorum was present.

DATED this 6th day of November, 2012.



TOWN CLERK