

TUSAYAN TOWN COUNCIL MEETING

10:00 am
April 28th, 2010
Zuni Room
Best Western Squire Inn
74 State Route. 64, Tusayan, AZ

MINUTES

Call to order

by Mayor Pete Shearer at 10:02 am and Pledge of Allegiance.

Roll Call

Members in Attendance:

Mayor Pete Shearer

Vice Mayor Greg Bryan

Council member Al Montoya

Council member Ann Wren

Council member Clarinda Vail

Item #3- Call to the Public- Moved up to be the first item

Mayor Shearer asks if anyone would like to speak to an item, not on the agenda, and no one spoke.

Item #4- Approval of the previous meetings minutes-

Mayor Shearer mentions we will move the April 20th minutes to the next agenda, as we just got these, they are lengthy, and need to be reviewed.

Ms. Vail asked for feedback on the information she has been including in the minutes, as she knows they are lengthy right now. She has thought the more detail the better for now. Mayor Shearer states that the more information the better right now, to a certain point, but to feel to summarize a lengthily discussion with the main points.

Vice Mayor Bryan mentions a correction to the April 7 minutes on page 6, where a sentence didn't end, these three words should be added: TFD board decides

Ms. Vail asks if all would give her edits after she e-mail's it to them so she can correct them before the meeting.

Vice Mayor Bryan states he would like to clarify for the meeting of April 13th when talking about the hiring of interim council, at the top of page 2, it was correctly referenced that he does believe we should do an RFP for the town attorney. He doesn't want his affirmation for seconding a motion, for the hiring of the firm of Clark Hill, to mean this was until a new council was elected but instead until we could post and do a full RFP and due diligence process of interviewing firms.

Mayor Shearer mentions that he asked the acting clerk to review the recording and Ms. Vail reports that the motion was for interim council and it was not defined. Vice Mayor

Bryan had stated in the discussion about still doing an RFP then Mayor Shearer had stated he thought it should be until the next council and then the motion did not define.

Mayor Shearer states that he thought it was until the next elected council was seated. Ms. Wren mentions she thought it was until the next elected council was seated.

Vice Mayor Bryan states it is nothing against Mr. Kolsrud.

Mr. Russ Kolsrud states that for the purpose of the minutes the term interim is ok, as the town has the power at anytime to hire and fire attorneys.

With this Vice Mayor Bryan mentions he wants it noted in this meetings minutes and since Mr. Kolsrud stated that this is fine, then that is good enough for him.

Vice Mayor Bryan moved to approve the April 7th, 13th, & 15th minutes with the change, noted earlier in the meeting, to the April 7th minutes. Ms. Vail seconded the motion. The motion carried unanimously.

Item #5- Presentation on Taxes by Tom Belshe, Deputy Director of the AZ League of Cities and Towns

Mr. Belshe, with the Arizona League of Cities and Towns, presents the model city tax code with Cathy Connelly.

Council goes through the entire city tax code with Tom Belshe and Cathy Connelly.

Mr. Belshe explains that the AZ Department of Revenue (AZDOR) collects the rates and an IGA must be done with them.

Discussion and many questions about the various tax codes are discussed for over three hours.

The model city tax code, binder and notes with the percentages and consequences that the council is considering will be attached to this day's minutes. It describes what was discussed in more detail.

Mr. Belshe says there is a 60-day window from setting this all up to actually generating the funds.

Ms. Wren mentions that these taxes should be spread out fairly to all and that the airport property should pay its share and not just the businesses of Tusayan's private property. Ms. Connelly responds that she cannot remember why but, only remembered the answer, that the Air Tours cannot be taxed maybe because of FAA rules.

The council takes a short break at 12:34 PM

Council returns from break.

Mr. Belshe explains that the state sets an expenditure limitation for every city and town. They come up with a per capita amount and that multiplied by residents is your expenditure limit.

The AZ League of Cities and Towns will be bringing back the tax codes, we discussed, all filled in for the council to formally adopt.

The council thanks Mr. Belshe and Ms. Connelly for their time and presentation.

Item #6- Discussion and possible action – adopting an Interim Town Budget

Item #9- Discussion/Possible action regarding obtaining Warrants

Vice Mayor Bryan asks to give the council an update on agenda item #6 and #9 at the same time as they are related for his updates. Mayor Shearer, and all, agree.

Vice Mayor Bryan informs the council that we have a challenge with the census certification and that there are two options for that process since they have now suspended the regular process until the 2010 census is complete. Both options are less expensive than what we were looking at before. \$160 or \$240 for a level I or level II certification. Could be in limbo for up to one year if the AZ DOR won't accept one of these. Vice Mayor Bryan has asked Michael Frius, with Ann Kirkpatrick's office, to go over and talk to the census bureau office. The AZDOR has yet to tell him which option will work for their needs. He also spoke with Elaine Smith at the AZDOR about urban sharing revenue funds. If you are under 1,500 residents then you get the funds for 1,500 residents. The question to AZDOR, since we know we are under that 1,500 why do we have to have a census certificate to disburse those funds only?

Vice Mayor Bryan continues his update. Regarding warrants; there are some possibilities under 11-60401 of county rules for establishing a revolving line of credit, specific to our political subdivision. There is a possibility to do an IGA with the county treasurer and the AZDOR would send the funds to the county treasurer. Bonny Lynn has been very helpful.

The council thanked Greg for his work.

Item #6 was tabled with no action and will be discussed at the next meeting because we need more information on some items for the interim budget.

Item #7-Discussion and possible action –research regarding law enforcement.

Ms. Wren, Mayor Shearer, Chief Evans, Bill Pribil and Cathy Allen met and went over figures and calls and believe the \$760,000 can be reduced substantially. Ms. Wren thinks it went well and that the Coconino County Sheriffs Department is willing help and will be fair.

No action was taken on item #7.

Item #8- Discussion/Possible action regarding posting for Clerk/Manager position

Ms. Vail reports on the figures, she was asked to research, for national averages on full time town clerk salaries that she found were between \$33,263-\$54,794 per year.

Ms. Vail and Mr. Montoya will respond to those that have showed interest in the volunteer position for a town clerk and will format how to field interest. Examples given by the council were: if they have the time for the work, time to attend the meetings, what we expect the work will be, the experience they have, and so on. Ms. Vail and Mr. Montoya will get the information to the rest of the council as it provides information on to those with interest in serving.

At 2:00 pm Ms. Wren announces that she must leave the meeting for an appointment in Flagstaff.

Item #9- Discussion/Possible action regarding obtaining Warrants

Vice Mayor Bryan already gave his update on this item under item #6.

No action was taken on item #9.

Item #10- Discussion/Possible action regarding interim attorney agreement

Options as presented are:

- A. Differential Rates-- \$250 per Hour-Partners
\$185 per Hour-Associates
\$135 per Hour-Legal Assistants

- B. Or a Blended Rate-- \$225 per Hour- Partners and Associates

Vice Mayor Bryan moved to select plan A, the differential rate, for the interim attorney for a fee schedule. Ms. Vail seconded the motion. The motion passed unanimously, by the four members still present.

Vice Mayor Bryan then asks the rest of the council, while on this topic, to request a posting for a town attorney and begin that RFP process. Mayor Shearer agrees that it will be put on the next regular meeting agenda.

Item #11- Discussion/Possible action regarding attorney agreement for lawsuit

Ms. Vail asks if we can move this to the end since she will not be discussing the agreement with regard to the lawsuit.

Item #12- Discussion/Possible action regarding signing agreement with the AMRRP for insurance

Vice Mayor Bryan updates the council that the insurance policy has been issued and that we received a bill for \$4,478.00 for a 12 month period from 4/15/2010 to 4/15/2011. They are unable to back date the policy but he has requested to be on the agenda for a May 21 pool board meeting for gratuitous coverage back to April 6, 2010 when we were officially recognized.

Item #13- Discussion/Possible action regarding the selection of a town hall location

Mr. Montoya says he did not talk to Ted Yasuda with Maverick but Mayor Shearer had and reported that he knows it is not an option, as they plan on using the building soon.

Ms. Vail offered her existing office, again, for free and expressed the need to have an address to get a P.O. Box and due diligence for some sort of office hours.

Since Ms. Wren had left the meeting we will get more information from her about what the TFD board decides for the Tusayan Fire District office.

Next Meeting will be May 4th at 10:00 am.

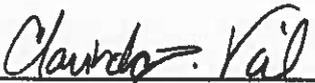
Executive Session-

Vice Mayor Bryan moved to adjourn into executive session to discuss the lawsuit at 2:32 pm. Ms. Vail seconded the motion. The motion passed unanimously. Ms. Vail left the meeting.

Adjournment

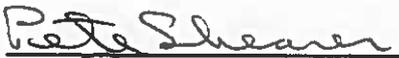
Vice Mayor Bryan moved to adjourn executive session at 2:56. Mr. Montoya seconded the motion. The motion carried unanimously, with the three members still in attendance.

Respectively Submitted by:

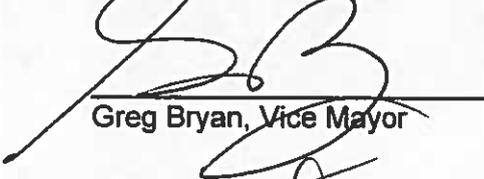


Clarinda Vail, Council Member

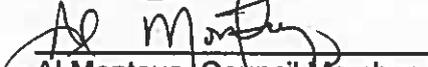
5/18/10
Date:



Pete Shearer, Mayor



Greg Bryan, Vice Mayor



Al Montoya, Council Member



Ann Wren, Council member