

MINUTES

TUSAYAN TOWN COUNCIL SPECIAL MEETING

PURSUANT TO A.R.S. § 38-431.02 & §38-431 .03

Wednesday, October 28, 2020 at 3:00 p.m.

TUSAYAN TOWN HALL BUILDING

845 Mustang Drive, Tusayan Arizona

Pursuant to A.A.S. § 38-431 .02, notice is hereby given to the members of the Tusayan Town Council and to the public that the Tusayan Town council will hold a meeting open to the public on Wednesday, October 28, 2020, 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 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 to minimize disruption of today's meeting.

TOWN COUNCIL SPECIAL MEETING SUMMARIZED MINUTES

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Vice Mayor Brady Harris called the meeting into order at 3:09 PM and led the group in the Pledge of Allegiance.

2. MOMENT OF SILENCE

A moment of silence was observed.

3. ROLL CALL *One or two Council Members may attend by telephone*

MAYOR CRAIG SANDERSON

VICE MAYOR BRADY HARRIS

COUNCIL MEMBER ROBB BALDOSKY

COUNCIL MEMBER AL MONTOYA

COUNCIL MEMBER BECKY WIRTH

Mayor Craig Sanderson (was logged in and joined in after a few minutes), Council Member Al Montoya and Council Member Becky Wirth were present by ZOOM.

Present: Craig Sanderson, Mayor; Becky Wirth, Council Member; Al Montoya, Council Member; Brady Harris, Vice Mayor; Robb Baldosky, Council Member

Staff Present: Charlie Hendrix, Town Manager
Marla Wortmann, Interim Town Clerk

Attendees:

Bill McGrath, Presentation and Legal Update Hodson and Ten X Project

4. **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. 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. Comments will be limited to three minutes per person.

Call to the public: None

5. **CEREMONIAL AND/OR INFORMATIONAL MATTERS**

6. **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.

Consent Agenda: There was no response.

7. **ACTION ITEMS**

- A. Consideration, discussion, and possible action regarding audit contract for Colby & Powell, Certified Public Accountants. (5 min)

Town Manager Charlie Hendrix reported this is mainly a procedural manner. Every five years this is put out for bid and this is their second year. A contract was sent for this year, but according to procedures, only the council can sign the contract. Staff is requesting authorization for the Town Manager to sign this contract. The audit is scheduled for next Monday.

Moved by Council Member Robb Baldosky, seconded by Vice Mayor Brady Harris. Motion to Approve authorization of the Town Manager to sign the audit contract for Colby & Powell, Certified Public Accountants. Vote: 5-0 Passed Unanimously.

- B. Consideration, discussion, and possible action regarding Tourism Advisory Group, Bylaws and Goals, update. (10 min)

Town Manager Charlie Hendrix reported working on adopting Bylaws for the Tourism Advisory Committee. We have elected to do this in a step-by-step process. First item establishes the committee in Resolution 2020-16, then sets up the process for council members to stay on the committee after they are no longer council members. Then would give the power to the board member to appoint their successors to the committee when they are ready to vacate the position.

Moved by Council Member Robb Baldosky, seconded by Council Member Becky Wirth Motion to Approve Resolution 2020-16 A Resolution of the Mayor and Council of the Town of Tusayan, Arizona Regarding Appointment to the Tourism Advisory Committee. Vote: 5-0 Passed Unanimously

C. Consideration, discussion, and possible action regarding Cindy May, Williams Grand Canyon News, and New Media Development Marketing Proposals. (10 Min)

Town Manager Charlie Hendrix reported there are several options in front of you. Cindy May has options ranging from \$30,000 to \$90,000. The Williams Grand Canyon News gave options that are varied but not as expensive. The council discussed referring this back to the Advisory Group. This would delay approval until January and wouldn't include any holiday advertising. There is \$35,000 in Marketing which was set aside for continuation of similar things like Cindy May or other promotions. This marketing is more focused on promoting the town during Covid and focused on reaching out to the California area which has had an uptick lately. Town Manager Hendrix recommended a \$5,000 budget would give the town plenty from Williams Grand Canyon News. It would be good for the Advisory Committee to figure out the options and then bring them to a future meeting. The Advisory Committee is mostly made of council members, so the committee would be advising itself. The council would like to see the project get going now and promote winter visitation. Councilor Wirth would like to see the town continue with the work they have been doing with Cindy May with \$30,000 and the suggested \$5,000 for Williams Grand Canyon News to get things through the next couple months. Council felt a plan should be approved tonight, but moving forward all the proposals should go through the Advisory Committee first.

Moved by Vice Mayor Brady Harris, seconded by Council Member Robb Baldosky Motion to Approve continuing with Cindy May with the current campaign, not to exceed \$30,000 with \$9,000 in administrative fees and the rest for Ad Spend. Vote:5-0 Passed Unanimously.

Moved by Vice Mayor Brady Harris, seconded by Council Member Robb Baldosky Motion to Approve a maximum of \$5,000 for marketing with the Williams Grand Canyon News and subsidiaries. Vote:5-0 Passed Unanimously.

D. Consideration, discussion, and possible action regarding Town Thanksgiving Meal Distribution Authorization. (10 min).

This item was moved up on the agenda ahead of 7C due to discussion on funding since both items come from the Covid fund. Town Manager Charlie Hendrix gave a report of the Covid expense fund. After the Holiday Light Project approve last month, there will be approximately \$70,000 remaining in the Covid expense account. There is also a large sum of money in the secondary Covid expense account in case Covid get extended longer or things get worse in the future. With the secondary account, the council is prepared for the future if this would continue into this next year.

Vice Mayor Brady Harris discussed the proposed Thanksgiving meal for this upcoming year. The proposal is for 250 whole turkeys with the fixings per family and 200 turkey roast with the fixings per single person. Breaking down the costs based on estimates it would be \$15,000 for the turkeys and \$10,000 for the fixings for an estimated total on the project of \$25,000. This year with Covid moving into the area this project is of greater need to the community. This would be a great way to help the community as people are feeling the stress from Covid. Concern was raised on what steps need to be taken to make sure the meals are only going to Tusayan residents and people who work in Tusayan since taxpayer money would be involved. In past events people from outside the area have taken advantage of the distribution meant for the community. Options were discussed to ensure the meals are reserved for the Tusayan community. The registration could require a special community residency which includes those who work or live in Tusayan. People will

preregister for the dinners, so will have a good idea on how many orders will be needed. Extra will be ordered as a buffer for walk-ins.

Moved by Council Member Robb Baldosky, seconded by Council Member Becky Wirth. Motion to Approve a maximum of \$25,000 for 2020 Thanksgiving Meal Distribution authorizing staff and Council Member Harris to require registration with proof of residency or employment and reserving the right to refuse service. Vote:5-0 Passed Unanimously

- E. Consideration, discussion, and possible action regarding Resolution or Letter of support for Grand Canyon Junction. (10 min).

Council Member Robb Baldosky updated the council on the status of the proposed name change to Grand Canyon Junction. The Board of Supervisors has put this on their agenda for November 10th. The question keeps coming up as to what Tusayan thinks. Baldosky felt it is important to get Tusayan's input on the matter. Included in the packet are the results up to date from Survey Monkey website. A letter of support is requested from the Town of Tusayan based on the volume of people who would like to see this name change happen. Vice Mayor Brady Harris read part of the letter of support for the name change. Discussion continued on whether to approve a letter of support or to approve a letter with the wording that the Town of Tusayan does not object.

Moved by Vice Mayor Brady Harris, seconded by Council Member Robb Baldosky Motion to Approve the proposed letter #2 a letter of support to change the name to Grand Canyon Junction. Vote: 5-0 Passed Unanimously. The Mayor will sign the letter of support on behalf of the council.

- F. Consideration, discussions, and possible action regarding Ordinance 2020-03 adopting an ordinance regarding recreational marijuana and establishing a purpose; setting forth definitions; prohibiting marijuana on public property; prohibiting marijuana establishments and marijuana testing facilities; enacting reasonable regulations for marijuana cultivation on residential property; setting forth violations; providing for enforcement and penalties; and setting a conditional effective date. (5 min)

Aaron Arnson discussed the background of the Ordinance since the issue is on the ballot. Proposition 207 would authorize the possession of recreational marijuana and recreational testing facilities. The Proposition includes a provision which allows towns to set up zoning laws. This Ordinance is to ensure that the council preserves its ability to regulate later on if it wishes to do so and to come back to the council with reasonable zoning regulations. This does not mean the decision is forever. It allows the town to make changes in the future without the possibility of a claim against those changes. It is encouraged to pass this before the election to avoid the possibility of a claim of deduction in value of property if it is passed later. There is no penalty to the council if the Proposition doesn't pass on Election Day.

Moved by Mayor Craig Sanderson, seconded by Councilor Becky Wirth. Motion to Approve the Ordinance 2020-03 of the Mayor and the Council establishing a purpose for recreational marijuana regulation. Vote: 5-0 Passed Unanimously

- G. Consideration, discussion, and possible action regarding Presentation and Legal Update Hodson and Ten X Project, Bill McGrath Brownstein, Hyatt, Farber, Schreck, LLP. (20 min)

Bill McGrath was present at the meeting to review updates to the project. McGrath reviewed the history of the project which began in 2011 and the application process. He reviewed a map of the proposed development showing the proposed roads and utility access. The parcels involved were discussed. McGrath outlined the process for approval of the project. A new application was submitted in September of last year. This application was made taking into consideration all the issues from the public comments including water and utilities. The council discussed how this project would help the town with providing affordable housing and give more opportunity for our residents. There was no public comments at this time.

Before heading into the executive session, the items listed later in the meeting were reviewed. Town Manager, Charlie Hendrix reported her written report always encourages interested parties to look to her written report for details. No reports from council members.

8. EXECUTIVE SESSION

If authorized by a majority vote of the Town Council, an executive session may be held immediately after the vote and will not be open to the public. The Town Council may vote to go into executive session.

Moved by Council Member Robb Baldosky, seconded by Council Member Becky Wirth Motion to enter Executive Session at 5:24 PM. Vote:5-0 Passed Unanimously

- A. Pursuant to A.R.S. § 38-431.03 A.3. and A.4. to receive legal advice and provide instruction regarding legal and strategic planning, Bill McGrath, Brownstein, Hyatt, Faerber, Schreck, LLP. (60 min)
- B. Pursuant to A.R.S. § 38-431.03 A.3., A.4 and A. 7 to receive legal advice and provide instruction regarding Water System Study review and purchase. (60 min)

9. REPORTS

- A. Town Manager Reports

Report attached to the minutes under action items.

- B. Council Members Report - No report.

- C. Mayor - No report.

10. Council returned to the meeting. The council will wait until the next meeting to give direction

MOTION TO ADJOURN

Moved by Council Member Robb Baldosky, seconded by Vice Mayor Brady Harris Motion to adjourn the meeting at 7:30 PM. Vote:5-0 Passed Unanimously

Craig Sanderson, Mayor Date

ATTEST:

Town Clerk

STATE OF ARIZONA) CERTIFICATION

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COCONINO COUNTY)

I, Marla Wortman, do hereby certify that I am the Town clerk of 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 10.28.2020. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 14th day of May 2021

Marla Wortman
Town Clerk