

MINUTES

TUSAYAN TOWN COUNCIL REGULAR MEETING MINUTES

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

Wednesday, April 14, 2021, at 3:00 p.m.

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 public that the Tusayan Town Council will hold a meeting open to the public on Wednesday, April 14, 2021, 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 devices, we ask that you silence it to minimize disruption of today's meeting.

TOWN COUNCIL REGULAR MEETING AGENDA MINUTES

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Clarinda Vail called the meeting to order at 3:00 PM and led the group in the Pledge of Allegiance.

2. ROLL CALL: One or two Council Members may attend by telephone

MAYOR CLARINDA VAIL

VICE MAYOR BRADY HARRIS

COUNCIL MEMBER ROBB BALDOSKY

COUNCIL MEMBER BECKY WIRTH

COUNCIL MEMBER GREG BRUSH

Present: Mayor Clarinda Vail; Vice Mayor Brady Harris; Councilmember Becky Wirth; Councilmember Greg Brush; Councilmember Robb Baldosky

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

3. CALL TO MEMBERS OF THE PUBLIC

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.

Town Manager introduced the Grand Canyon Rotary

Grand Canyon Rotary received a check for \$50,000 for the Ramada. Mayor Vail explained that monies were taken out of the rotary fund and invested. Mayor explained that many members of the rotary club offered their help to raise funds for the purposes of constructing the ramada.

4. CEREMONIAL AND/OR INFORMATIONAL MATTERS

A. Council Training presentation by Aaron Arnson, Pierce Coleman, PLLC. (10 min)

Aaron Arnson Town Attorney presented via zoom regarding a preview of council training on Open Meeting Law, Council Manager form of government, Public Records, and conflict of interest issues. These training programs are necessary for newly appointed councilmembers and are required to be aware about. Mr. Arnson will be sending materials for councilmembers to review and a meeting in the future will be scheduled for the full presentation. Councilmembers were encouraged to view the league training online. Mr. Arnson also asked members if they had any requests of specific material to go over once a meeting is scheduled. Mayor Vail requested anything relating to updates that are happening legislatively.

Mayor Vail thanked Mr. Arnson for his time.

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.

Moved by Councilmember Becky Wirth, Seconded by Councilmember Greg Brush. Motion to approve the consent agenda by Vote 5-0 Passed Unanimously.

- A. Billings of payable accounts (March 1-31, 2021 -Bills Payable in March 2021) Billings of Electronic and Automatic Payable Accounts (January 1-January 31, 2021), (February 01-February 28, 2021) (March 1-March 31, 2021).
- B. Pre-authorization (April 1 - 30 and May 1 - May 31, 2021) Minutes of Council Meeting held on January 13, 2021.
- C. Minutes of Council Meeting held on February 5, 2021. Minutes of Council Meeting held on February 27, 2021.
- D. Minutes of Council Meeting held on March 10, 2021.

- E. Authorization for town signer to add Centerline Supply, Inc. as an ACH (Automated Clearing House) vendor.
- F. Authorization for town signer to add Waste Management of Arizona, Inc. as an ACH (Automated Clearing House) vendor.
- G. Authorization for town signer to add Flagstaff Information Technology LLC as an ACH (Automated Clearing House) vendor.
- H. Ratification of contract with Norris Design for Ramada/Outdoor Classroom final designs.

6. ACTION ITEMS

- A. **Consideration, discussion, and possible action regarding possible Stilo and Town of Tusayan Kaibab National Forest Special Use Authorization Permit. (5 min)**

Mayor Vail advised the public this was an item that would be heard first, possibly may be discussed in executive session, and later brought back to the public for further discussion. Town Manager introduced Dawn the attorney for Stilo who provided an update on the special use permit. Dawn updated council on Stilo's position, continuing to move forward with the Town and processing the special use permit application that they filed with the Town. Dawn also advised council on Stilo's willingness to negotiate a Memorandum of Understanding (MOU) with the Sanitary District, but do not plan to enter into one at the current moment as they believe it is not productive to do so during the special use permit process. However, as the permitting continues to progress, Stilo is open to discussion in the future with the Sanitary District.

Stilo has drafted a response to the forest service and is requesting that the Town join Stilo in this response. Dawn mentioned her colleague, Tom De Paolo, is meeting with the forest service today and can provide council a copy of the letter for review and possible discussion during executive session. Stilo urged council to review the contents of the letter and hope that the Town will sign onto the letter as co-applicants to encourage the forest service to move the process forward.

Mayor Vail advised Dawn that due to the number of items to discuss in executive session, the letter would not be discussed at this meeting and would be tabled for a later time.

Town Manager requested an electronic copy of the letter from Dawn.

Moved by Mayor Vail, Seconded by Councilmember Greg Brush to order the agenda in the following order: After 6A, hear item 6K, public hearing, 6C-6Q, and 6B after executive session. Vote 5-0 Passed Unanimously.

K. Consideration, discussion, and possible action regarding Intergovernmental Agreement (IGA) with the Tusayan Fire District. (10 min)

Councilmember Brush stepped down from the Council Dias, recused his position, and appeared as the Fire chief for Tusayan Fire District. Councilmember Brush presented to Town Council the benefits of an intergovernmental agreement (IGA) for the Tusayan Fire District (TFD). Councilmember Greg Brush, Kate Merigos, and John Vail were in attendance. Councilmember Brush thanked the Council for their assistance with TFD throughout the years and presented their position in support of an IGA consideration with the Town. The TFD presentation is available to the public on the Town's website and agenda packet.

The presentation explained the call volume rise during Grand Canyon visitation with the summer months being exponentially higher, a breakdown of the types of calls made and the attempts to split coverage throughout the Valle area with High Country Fire & Rescue. Councilmember Brush mentioned that volunteerism is challenging due to the location of TFD and it is critical for TFD to acquire volunteers, but most importantly be competitive in wages to recruit firefighters. TFD is attempting to have at least three first responders on any shift and at least two of the first responders be EMTs. TFD has committed some time to recruit as many volunteers as possible and train. Councilmember Brush then explained the costs and expenses for equipment and vehicles. TFD provided numerous outside the box solutions done by TFD such as applying to various grants as tax revenue has declined exponentially throughout the years. However, applying for grants are not enough as many are declined, so assistance from the Town will help TFD exponentially.

Chairman of TFD, John Vail presented his encouragement for the IGA and thanked Council for their ongoing support with TFD throughout the years.

Council asked various questions to TFD such as tax revenue percentages received by TFD from the state and the Town, ISO ratings, and benefits of purchasing an apparatus. Mr. Vail responded that the amount given from state tax revenue is about .035% and the rest is provided by the Town, ISO ratings are done throughout the year. An Insurance Services Officer provides a rating to Fire Departments. Mr. Vail explained that the engine one is a multi-function vehicle and would be the best strategy to have an engine one for a call-in case another call is placed afterward so that the apparatus is ready to respond to the next emergency.

Councilmember Wirth asked about billing to other districts. TFD chief, Greg Brush responded that they average about \$25,000-\$30,000 and collect about 40% total. Mr. Vail explained that although TFD does lose money by providing services to Valle, they don't want to leave them high and dry as they have no fire department.

Apart of a humanitarian sense, financially, a big part of their revenue comes from other district calls.

Kate Merigos thanked the Town for its support and mentioned that the funding from the Town has helped get employees certified and the Town's help assisted with TFD's achievement of a great ISO rating. She highlighted that minimum wage at the moment is \$15 an hour and asked for continued support for resources as they can continue provide services to the Town.

Call to the public: None.

Mayor Vail thanked them for their time and the presentation.

Councilmember Brush returned to his seat on the Council.

PUBLIC HEARING

The Council will hold a Public Hearing regarding whether to delete stipulation 7 of Ordinance No 2011-11-04. The general description of the affected area is approximately 19.3 acres of property in a portion of Section 24, Township 30 North, and Range 2 East.

Mayor Vail opened the public hearing on the item. Town Manager notified council that the attorneys for the property owner were online. Present via Zoom was Manjala Voss, Tom Depone, Andy Jacobson and Cameron Tiegue, attorneys for property owner. Camper village had a stipulation for the conference area that has certain conditions that limits development. Working with hotel developers to build, this condition has hindered progress for any development for over ten years. Mrs. Voss asked Council for consideration and support for the deletion of the stipulation.

Mayor Vail opened the floor to the public:

Pete Sherer: Mr. Sherer has been involved in this project for over 10 years. He believed that this development would help enhance the pedestrian experience. Mr. Sherer showed a short video of the project of what the pedestrian experience initially would look like. He is concerned that the deletion of the stipulation would change that commitment to the pedestrian experience.

Councilmember Wirth asked for clarification on the changes of the site plan of the first floor of the hotel. Mrs. Voss explained that a site plan has not been submitted and are asking for this resolution which would be for the entire parcel. Councilmembers discussed the changes for the entire parcel and the development plan for the first floor of the hotel.

Thomas De Paolo of Stilo development commented on the video shown and stated that much of what was said before regarding development was taken out of context. Mr. De Paolo explained that they are committed to the nature of the development and will provide a site plan.

Member of the public, Robert Metzger spoke about his support of this development and stated his reasons.

Craig Sanderson spoke via zoom and requested that Council approve the development and stated his reasons.

No further comments from public.

Mayor Vail closed the public hearing.

C. Consideration discussion, and possible action regarding COVID Budget Relief Marketing efforts. (5 min)

Mayor Vail and Vice Mayor Harris discussed and came to a consensus that there were no further relief marketing efforts needed at the moment.

Call to the public: None.

D. Consideration, discussion, and possible action regarding traffic control issues associated with the South Rim - Tusayan Multimodal Transportation Action Plan. (5 min)

Town Manager briefed the council regarding the permitting process with ADOT and has reached out some traffic companies to move forward with the traffic action plan. Her complete report is available online. Mayor Vail presented the efforts for the South Rim Multimodal plan. Mayor Vail asked some feedback from council for long term goals to further discuss transportation, parking lot, and a light rail. Town Manager notified council that ADOT would consider doing the lines after the town to do that test. Town Manager requested direction from council to put in applications for the permits to begin the traffic test and put up the VMS signage

Lo Fisbee asked if there was a place where the community can reach out to make any suggestions.

Andrew Keller spoke regarding a bus loop plan that would be phased in when the campground is completed.

Jan Balsom spent time with the multimodal plan and confirmed that they met with Mr. Keller regarding the bus route plan. The plan gives good direction, but there are many open-ended directions that needed to be discussed.

Craig Gunderson stated he believed this item is very important and the long solution is increasing the speed and increase the number of lanes.

Mayor Vail discussed establishing roles for this item and directed that Town staff continue their effort to move forward with the test. Town Manager advised that the efforts could come out of the covid budget.

Moved by Mayor Clarinda Vail, Seconded by Vice Mayor Brady Harris. Motion to approve Town Manager to allocate funds from the Covid contingency budget for purposes of the permit process. Vote: 5-0. Passed Unanimously.

Vice Mayor Harris presented a plan for infrastructure and stated that this opportunity can assist in completing Town projects, but most importantly the highway to the Grand Canyon and explained the benefit to the Town and asked for the Town's support on this item to move this project forward. Vice Mayor's plan is posted online with the agenda items for public review.

E. Consideration, discussion, and possible action regarding Community Garden at the Sports Complex. (5 min)

Councilmember Robert Baldosky recused himself from discussion of this item.

Town Manager referred council and the public to the presentation, a copy of the presentation is available on the Town website. Town Manager briefly explained each slide and some of the responsibilities of the Town, the District, and the Working Group for purposes of clarifying the intergovernmental agreements.

Mr. Robb Baldosky explained the process of the community garden project for approval and moving forward with bids. He added his request for a \$25,000 budget for the budget to cover percentage thresholds. Town Manager provided documents of Mr. Baldosky's proposal, a copy of the documents is available to the public through the Town's website. Pete Sherer added some comments relating to the community garden and the master plan.

Vice Mayor Harris asked what the idea for irrigation would be for the community garden since a ramada construction is being put in. Mr. Baldosky explained that a plan still needs to be worked together to figure out where the new location would be for the garden. Town Manager added that the irrigation system would be placed wherever the new location would be. Mr. Sherer clarified that the irrigation could

be placed on the ramada side near the tot lot and expanded to where the garden would be moved and stated a gate could also be installed for easier access to the garden. Vice Mayor Harris added he is in fully in support to add \$10,000 funds if alternative water solutions can be put in place. Town Manager inquired if an initial planting season budget can be done and then add the water fund to it. Vice Mayor stated it would be better to figure out a budget amount now so that it is not forgotten in the future.

Call to the public: None

Moved by Vice Mayor Brady Harris, Seconded by Becky Wirth. Motion to re-allocate \$35,000 from the sportsplex capital improvement fund to the community garden. Vote: 4-0. Passed Unanimously.

F. Consideration, discussion, and possible action regarding Sports Complex Master Plan and projects. (10 min)

Councilmember Robert Baldosky recused himself from consideration of this item.

Town Manager updated council regarding the Sports Complex Master Plan and several of the projects are moving forward, one in particular is the outdoor classroom/ramada. Next month the project CMAR and project team plans to give a complete update. Town Manager reported scheduling of how the project will move forward and will provide a cost update once it is received. A copy of the update is available to the public on the Town's website. Town Manager noted, the project CMAR would like clarity on lighting for the ramada in case foot lighting needed to be installed for nighttime use. Councilmembers agreed to foot lighting for the ramada as they most likely would be utilizing the ramada afterhours as well. Mayor Vail requested that staff notify the CMAR that the Town is a dark sky compliance town.

Town Manager requested clarity from the council regarding Mr. Baldosky's role as council designee. Mr. Baldosky explained his position and requested more authority than just information gathering as designee. Councilmembers discussed Mr. Baldosky's role as designee of this project and agreed to speak for council but noted that he is not authorized to make any promises without council approval. Vice Mayor Harris noted that he believed in Mr. Baldosky's abilities as designee but advised to not veer away from the initial vision of what the Sportscomplex: Ramada will be. Mayor Vail agreed with Town Manager to give a lump sum budget for the Sportscomplex ramada/classroom so that further meetings with Council would not be required prior to approval, unless the change exceeded the amount discussed

Comment from the public:

Pete Sherer added his comments regarding the sports complex master plan
No further comments from the public.

G. Consideration, discussion, and possible action regarding initial 2021-2022 Budget Requests. (5 min)

Town Manager presented the initial budget requests for 2021-2022 fiscal year as directed by council in last month's meeting. Town Manager presented a list of the entities that have submitted a budget request, a copy of which is available to the public through the town website. The current requests total about \$2.1 million and although an estimated budget for the next fiscal year is not available, Town Manager notified council of the Town's tax income this year of approximately \$2.3 million.

Town Manager sought direction from council and advised of the possibility that some projects may need to be extended over a few years. The next step of the budget request process is to send it to the budget preparer and begin a draft. Mayor Vail advised to only add items that were labeled as priority projects for the next fiscal budget draft. Mayor Vail added, any other projects can be considered for a later time, but no need to add any more project suggestions for the next fiscal budget draft.

Call to the public: None

H. Consideration, discussion, and possible action regarding approval of contract with website provider. (5 min)

Town Manager presented an update for the approval of contract with a website provider. Town Manager requested from council the approval to coordinate with a new website provider who will assist with any changes requested by staff for the Town's website. Vice Mayor Harris inquired about the contract and whether any further fees would be applied, and Town Manager advised that the contract is on a month-to-month basis and can be terminated any time.

Call to the public: none.

Moved by Mayor Clarinda, Seconded by Councilmember Rob Baldosky, Motion to approve contract with website provider as presented by staff. Vote 5-0. Passed unanimously.

I. Consideration, discussion, and possible action regarding approval of contract with Budget Preparer, Bernie Wiegandt, CPA, PC. (5 min)

Town Manager presented a contract with Bernie Wiegandt who is a budget preparer. A copy of the presentation is available to the public through the Town's website. Town contractors have been limited in the accounting services they can provide. Several providers, such as those associated with the State of Arizona, have been unwilling to share information with contractors because they are not directly employed by the Town. Town Manager requested council to contract with a professional experienced in budget preparation in Arizona for this year's budget. Staff is working with other contractors to decrease their rates to compensate for the new contract.

Council discussed the terms in the contract and came to a consensus to approve the contract.

Call to the public: none.

Moved by Vice Mayor Brady Harris, Seconded by Councilmember Greg Brush. Motion to approve the contract with budget preparer, Bernie Wiegandt. Vote 5-0. Passed Unanimously.

J. Consideration, discussion, and possible action regarding update for July 4th Celebration and contract for Drone Light Show. (10 min)

Town Manager presented the plans for the Fourth of July Celebration while working alongside with the Chamber of Commerce. As the chamber works on the activities portion of the celebration, Town staff have focused on permit applications for the parade and beautification efforts. Town staff would be coordinating with the Chamber with marketing strategies and the possibility of adding a drone light show as an alternative to fireworks.

Town Manager presented the drone light show proposal. A copy of the proposal is available to the public through the Town website. Town Manager explained the price estimate for one night and two-night shows.

Councilmembers deliberated different options for the event such as keeping the laser light show or approving the drone show proposal. Town Manager mentioned, if the drone light show would be approved, council would have a say on what content would be put on the story board for the drone light show. Vice Mayor Harris spoke of his support for this event stating that the show would be a great alternative to fireworks. Mayor Vail also added if a drone show would be approved, a permit would not be necessary as the Town could notify the airport of the event and schedule for no flights to come through during the time of the event.

Town Manager proposed of using the funds from the COVID contingency budget. Councilmembers discussed the amount for the show and marketing, coordinating the dates for the event, and allocating the funds from the COVID budget. Councilmembers came to a consensus to have a small event on July 3rd such as a craft fair and have the full event on Sunday July 4th with the drone light show that same night.

Call to the public: None.

Moved by Vice Mayor Harris, Seconded by Councilmember Baldosky. Motion to approve the expenditure of up to \$60,000 for the July 4th celebration to come from the covid contingency budget.

Councilmember Baldosky exited the meeting.

Moved by Mayor Vail, Seconded by Councilmember Wirth. Motion to hear items 6O and 6P after 6J. Vote 4-0. Motion Passed.

O. Consideration, discussion, and possible action regarding chart of accounts in ClerkBooks accounting program. (5 min)

Town Manager presented the technical chart of accounts in the ClerkBooks accounting program. A copy of the attachments is available to the public through the Town's website. Town Manager explained to council of the changes to the chart of accounts that were previously used as they were not in conformity with the State of Arizona. As the Town manager worked with the Town Auditor, it was recommended to adopt the chart of accounts that most municipalities use in Arizona.

Town Manager went through the previous chart of accounts to show where the changes for the new chart of accounts and the coding would be. Town Manager notified council of discrepancies with the ClerkBooks integration that show some changes would need to be adjusted. Town Manager requested approval for the use of ClerkBooks and approve the changes needed to fix the discrepancies made after the integration. Councilmembers reviewed and discussed the sales tax statement and items.

Mayor Vail directed Council to review the chart of accounts attachments and refer any questions to Town Manager and tabled approval of ClerkBooks until next month.

Call to the public: none.

P. Consideration, discussion, and possible action regarding beginning fund balances in the ClerkBooks accounting program. (5 min)

Mayor Vail mentioned this item will be heard in next month's meeting.

Call to the public: none.

Moved by Councilmember Baldosky, Seconded by Vice Mayor Harris. Motion to move to executive session. Vote 5-0. Passed unanimously.

Mayor Vail advised the public an update would be given at 8:00PM on council's progress on the executive session agenda. .

Council came back from executive session.

B. Consideration, discussion, and possible action and/or approval of Resolution 2021-3 regarding recommendations from Planning and Zoning Commission to delete stipulation 7 of Ordinance No. 2011-11-04. (10 min)

Mayor Vail began discussion regarding resolution 2021-03, recommendations from Planning and Zoning Commission of changing an ordinance to a resolution. Town attorney, Aaron Aronson, mentioned to council of attorneys for Stilo, Manjala and Cameron's, assistance in creating a document to memorialize the change to the ordinance. Mayor Vail asked for some clarity with regards to accepting assistance from opposing parties in drafting a resolution and if that is a similar procedure used in other neighboring towns. Both Aaron Aronson, Town Attorney and Manjala, Stilo Attorney concur that stipulation modifications are done in a variety of different ways, it is unclear if an ordinance is needed, but is willing to work with Town Manager and Town council and give them something for consideration.

Mayor Vail stated her understanding was an ordinance can only be changed with another ordinance and this change is requested as a resolution. Manjala explained that a resolution can be used for a stipulation modification. These resolutions have been done in the city of phoenix where they have a resolution that have changes to considerations for approval. Town Council Aaron stated a memorialization from council would be needed in some form for this change in the ordinance.

Call to the public:

Andy Jacobs: Spoke to clarify a few things for the public as he heard some comments earlier in the meeting and wanted to give clarity. He explained there will be no increase in density with the removal of the stipulation, no change in the uses on the site, no changes of the zoning at the site, only allows flexibility for the use of

one floor of the hotel. Mr. Jacobs wanted to clarify to the public the items many citizens had issues with and claimed this was a minor modification of the stipulation.

Mayor Vail stated her concern regarding the PADA.

Councilmember Wirth agreed with Mayor Vail that the PADA needed to be changed but does not want to keep delaying the stipulation. Mayor Vail explained that PADA needs to be in compliance first before a resolution can be done.

Call to the public: None.

Moved by Councilmember Baldosky, Seconded by Councilmember Wirth. Motion to approve Resolution 2021-03 to delete stipulation VII of Ordinance No. 2011-11-04. Vote 3-2. Opposed by Mayor Clarinda Vail and Councilmember Greg Brush. Motion Passed

Mayor Vail explained her vote against this motion because of compliance reasons. Compliance of the PADA, fiduciary responsibility of monies owed to the town, and uncertainty of whether it is proper protocol to change an ordinance with a resolution. Mayor Vail stated she will not sign the resolution as she was not given complete clarity on whether the ordinance change can be done as a resolution.

Mayor Vail directed staff to give the resolution to Vice Mayor for signature after a certain number of days instead of seeking a council vote for Vice Mayor's signature.

L. Consideration, discussion, and possible action regarding Intergovernmental Agreement (IGA) with the Tusayan Sanitary District. (10 min)

Councilmember Greg Brush and Councilmember Greg Baldosky plan to meet with the Tusayan Sanitary District for further discussion regarding the Intergovernmental Agreement (IGA) and begin drafting an agreement.

M. Consideration, discussion, and possible action regarding approval of invoice and contracts with Robbco Construction DBA Universal Mechanical. (10 min)

Councilmember Rob Baldosky recuses himself from this item.

Town Manager advised council of previous discussion regarding the Valle Hardware Invoice and the request to revert the invoice to Robbco as discussed in the March 10, 2021 meeting. The original Valle Hardware invoice was approximately \$600 and now Mr. Baldosky presented the Robbco invoice with a

significantly changed amount of approximately \$1,441. A copy of the invoice is available to the public through the Town's website. Mayor Vail encouraged Council to discuss for purposes of coming to a final agreement and understanding moving forward. Robb Baldosky advised he submitted a Conflict-of-Interest form with the Town for both Valle Hardware and Universal Mechanical dba Robbco. Mr. Baldosky explained that after reading Arizona Revised Statute 38-501, he was clearer on the requirements and his duties as a contractor for the Town. Mr. Baldosky claimed prior to January 2021, he successfully bid for three projects/contracts and successfully won them. The projects included the bathroom heater, backup generator, and improvements/maintenance at the sports complex yard. It was Mr. Baldosky's recollection that back in January of 2021, he was commissioned by town staff to move forward with a site plan to relocate the storage containers which was done for the garden project. Mr. Baldosky claimed it was under the purview of his improvements/maintenance contract at the sports complex. He added that he has put time in all of the work he is contracted for but has not billed for it. Mr. Baldosky stated, if Town Maintenance is unavailable to do the work at a specific time, he is available to do the work as per his contract with the Town. Mr. Baldosky mentioned he was initially not going to charge the Town, but after consideration decided to submit the Robbco invoice.

Discussion continued between councilmembers and Mr. Baldosky regarding the change in the invoice amount. Mr. Baldosky brought up a solution by stating he would recuse himself from any future discussion relating to the Sports Complex and the other contracts he has with the Town. Mayor Vail emphasized her appreciation of Mr. Baldosky's services with the Town throughout the years and his service to the Town.

Vice Mayor Harris asked Town Manager for clarity regarding Mr. Baldosky's statements regarding her direction. Town Manager stated, for purposes of being honest and transparent and to move past the issue, she directed Mr. Baldosky to do the plan (but no other part of the work) and she mentioned to Mr. Baldosky that he would be compensated for the plan (only). However, the other pieces there were no conversations and regarding the master plan piece, it is best to be stated on record if he would be paid for the current work done. Mayor Vail asked for the motion to be passed first before moving forward with any further direction.

Moved by Councilmember Wirth, Seconded by Councilmember Brush. Motion to approve the (Universal Mechanical Company, LLC dba RobbCo Construction) invoice as is. Vote 4-0. Passed Unanimously.

Town Manager requested direction on how to move forward with Mr. Baldosky's role regarding the Master Plan: Sports Complex. Mr. Baldosky stated, with regard to Master Planning, the only work that he would be doing will only be with the

contracts that he has successfully bid on. Mayor Vail clarified to Mr. Baldosky he is free to bid on any projects in the future, but he would need to recuse himself of any discussion or plan he is currently contracted on.

Call to the Public: None.

N. Consideration, discussion, and possible action regarding Local Government Investment Pool (LGIP) signers update. (5 min)

Town Manager notified council of the State Local Government Investment Pool (LGIP) signers are currently outdated. Information on this report is available to the public at the Town's website. Town Manager requested approval to authorize signers with this account in line with the chase bank account. Under the Chase resolution, Mayor Vail and Council are finance designee signers. Town Manager has read only access to the account and would like to appoint one of their staff members to be a signer on the account. Town Manager requested a motion for the LGIP account similar to the Chase online banking. In the past multiple members of the council and multiple members of staff were full signer on the account. The only change is that Town Manager will now be limited to read only access.

Moved by Vice Mayor Harris, Seconded by Councilmember Brush. Motion to update the Local Government Investment Pool (LGIP) and add one Town staff member, designated by Town Manager, as signer. Vote: 5-0. Passed Unanimously.

Q. Consideration, discussion, and possible action regarding staff recommendations for new engineering department and staff positions. (5 min)

Town Manager advised Council to table the item for the next schedule meeting due to the lateness of the meeting.

7. EXECUTIVE SESSION

Moved by Councilmember Baldosky, Seconded by Vice Mayor Harris. Motion to move to executive session at 7:00PM. Vote 5-0. Passed unanimously.

- A. Pursuant to A.R.S. § 38-431.03 A.3. discussion regarding Notice of Claim filed by Eric Duthie. (5 min)
- B. Pursuant to A.R.S. § 38-431.03 A.1. and A.3. discussion of Town Manager performance evaluation. (30 min)
- C. Pursuant to A.R.S. § 38-431.03 A.2. and A.3. discussion regarding PADA Pre Annexation and Development Agreement memorandum. (20 min)

- D. Pursuant to A.R.S. § 38-431.03 A.3. and A.4. discussion regarding Intergovernmental Agreement (IGA) with the Tusayan Fire District. (10 min)
- E. Pursuant to A.R.S. § 38-431.03 A.3. and A.4. discussion regarding Intergovernmental Agreement (IGA) with the Tusayan Sanitary District. (10 min)
- F. Pursuant to A.R.S. § 38-431.03 A.3. and A.4. discussion regarding legal update and advice regarding Coconino County Flood Control District v. Town of Tusayan, Coconino County Sup. Ct. Case No. CV-201800616. (10 min)

8. REPORTS

A. Town Manager

- a. **Town Manager Report**
 - 1. **Town Financial report**
 - 2. **2021 Meeting Schedule**
 - 3. **Annual Town Calendar**
 - 4. **Annual Budget Calendar**
 - 5. **Strategic Planning Updates**
- b. **Organization reports**

B. Council Members

1. Personal Protective Equipment (PPE)

Vice Mayor Harris stated that he was able to distribute plenty of PPE to businesses and will continue with AZ 64 update. Have backing from National Park Service

2. Councilmember Brush notified council and the public of the high fire risk flag warnings and high wind dangers and reminded everyone that we are still dealing with a drought. Councilmember Brush asked the public to keep an eye out for anyone doing a burning and advise them to stop. Another risk of a fire is not putting out the coals of a bar-b-q correctly and has had to deal with very close calls recently. Councilmember Brush mentioned that the Tusayan Fire Department have concluded working with North Country and there will be an in-town vaccination site on April 28, 2021 from 10AM-1PM, at the IMAX theater. First day to register and sign up for the vaccination will be on April 19, 2021. Councilmember Brush encourages everyone to sign up and get the word out. Lastly, Councilmember Brush mentioned of Jen Hogan's completion of her hike from one end of the canyon to the other, she is the sixth human in modern history as a solo hiker, and the first female to do so.

C. Mayor

9. FUTURE AGENDA ITEMS

10. MOTION TO ADJOURN

Moved by Councilmember Baldosky, Seconded by Vice Mayor Harris. Motion to Adjourn. Vote 5-0. Passed Unanimously.

Clarinda Vail 8/17/21
Clarinda Vail, Mayor Date

ATTEST:

Dalia Lopez
Town Clerk

CERTIFICATION

STATE OF ARIZONA)
) ss
COCONINO COUNTY)

I, Dalia Lopez, 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 April 14, 2021. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 19 day of August 2021.

Dalia Lopez
Town Clerk

