

# MINUTES

## TUSAYAN TOWN COUNCIL REGULAR MEETING MINUTES

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

Wednesday, June 9, 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, June 9, 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 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 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.

The following Council Members were present, and a quorum was declared.

MAYOR CLARINDA VAIL

COUNCILMEMBER BECKY WIRTH

VICE MAYOR BRADY HARRIS

COUNCILMEMBER GREG BRUSH

Present: Mayor Clarinda Vail; Councilmember Becky Wirth; Councilmember Greg Brush; Vice Mayor Brady Harris via Zoom

Not Present: Councilmember Robb Baldosky

**A quorum was present.**

Staff Present: Town Manager Charlie Hendrix; Town Clerk Dalia Lopez, Finance Clerk/Bookkeeper Marla Wortmann

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

No comment from the public.

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

A. Presentation - Tusayan Fire District 2021-2022 budget. (10 min)

**Councilmember Brush stepped down from the Council.**

Greg Brush presented as chief of the Tusayan Fire District regarding the budget proposal for the Tusayan Fire District (TFD). The written copy of the report was provided to council prior to this meeting and is available in the Town's webpage for review. In attendance with councilmember Brush are members of the Tusayan Fire District who assisted in the budget request presentation. Mr. Brush presented the importance of the assistance of the town to acquire & replace the current Fire District apparatus, the need for payroll assistance for current employees, and hire new people.

TFD board member Kate Merigos spoke on the importance of gaining financial stability with the assistance of the Town. More funding from the Town ensures TFD will have time for training, increase their skills and services that TFD provides. TFD is looking to hire another full-time fire fighter and be able to pay their current employees a wage that is closer to industry standard. Additional Town funding would assist in bringing back projects such as the wildland project, assist in sending employees for additional training, such as medic and EMT school, and start a fire fighter cadet program. TFD would like the resources to have a public outreach program for the community, such as a junior ranger programs, community garden volunteer work, and fire prevention education. TFD's goal is to provide the highest quality of staff and volunteers to the Town and visitors.

Mr. Brush presented different scenarios of what the TFD budget would be with and without Town funding. Ms. Merigos went through the highest draft proposal and explained the benefits of the approval of a \$40,000 budget from the Town. TFD also provided a midpoint and low point for town funding that is also available for the public view in the Town's website.

Councilmember Wirth inquired if housing to employees was part of the salary package. Ms. Merigos stated that only the fire chief and assistant fire chief lived in housing, and

they are not being charged at the moment. However, if the Town does not assist with the TFD budget they would need to charge employees for housing.

Vice Mayor Harris inquired about the Chief's wage and asked for the reason the Wildland project was cut. Ms. Merigos stated that the Chief's wage was approximately 20%-40% below state average. Mr. Vail added that Wildland was essentially cut because they did not have an employee who was engine boss certified besides the chief and assistant chief. TFD do not have the funds or the staff to send out for the engine boss certification.

Mayor Vail thanked them for their time and the presentation.

**Councilmember Brush returned to his seat on the Council.**

## **5. CONSENT AGENDA**

**Moved by Mayor Clarinda Vail, second by Councilmember Becky Wirth.  
Motion to approve the Consent Agenda. Vote 4-0 Passed Unanimously.**

- A. Billings of payable accounts (May 1-31 - Bills Payable in June 2021)
- B. Billings of Electronic and Automatic Payable Accounts (May 1 to May 31, 2021)  
Pre-authorization (June 1 – June 30, 2021, and July 1 – July 31, 2021)
- C. Minutes of Council Meeting held on March 10, 2021, May 12, 2021, and May 26, 2021.
- D. Appointment of Andrew Aldaz as citizen designee for community outreach efforts.
- E. Approval of added insurance for excess coverage.

## **6. ACTION ITEMS- Staff Report Summaries**

- A. Consideration, discussion, and possible action to approve the fiscal year 2021-2022 tentative budget and set the date and time for a public hearing regarding the fiscal year 2021-2022 final budget. (20 min)**

Town Manager Hendrix presented the tentative budget for the for the 2021-2022 fiscal year with the requested changes from council that were discussed in the May 26,2021 workshop meeting. Town Manager went through the budget items and pointed out the revisions, a copy of the tentative budget is available for the public's viewing on the town website.

Town Manager proposed that moving forward, and after revisiting the IGA, reimbursements will be taken out of the "Court & Prosecutor" budget, not the "Manager & Support" budget. She clarified that GIS would be changed to "Flood Studies" under

the "Planning & Studies" section. Town Manager reminded council that HURF funds will be decreasing as the Town works towards moving those funds to salary budgets for other departments and turning HURF into a project-based budget item. Town Manager clarified that the miscellaneous line item under "Capital Project Fund" was changed to Council Directed Capital. It was then discussed by councilmembers that the amount for the "Council Directed Capital" budget was to be at least 10 million.

Town Manager notified council of the Town's anticipation of funds from the American Recovery Fund (ARF). Town Manager advised the amount stated on the presentation does not reflect what is expected to be received by ARF, as it is projected that the Town will receive between \$50,000-\$70,000.

Mayor Vail notified council and the public of a different grant the Town has applied for, American Index Tax Funds, where Mayor Vail proposed that these funds be given back to the Town residents.

Apart from any feedback on the budget, Town Manager requested direction for staff for a vote on the tentative budget resolution on June 23, 2021, which will trigger a vote at the public hearing on July 14, 2021.

Councilmember Wirth added that it was agreed by council in the May 26, 2021, workshop to keep the water fund acquisition amount in the 2020-2021 adopted budget to the tentative proposed budget as well. Vice Mayor Harris requested that the budget for Mileage/Lodging/Meals under "Mayor & Council" increase so that councilmembers can begin attending conferences and trainings. Councilmembers agreed to raise the amount to \$20,000.

Call to the public: None.

Councilmembers are in consensus that a vote on the tentative budget resolution will be on June 23, 2021, which will trigger a vote at the public hearing on July 14, 2021. Staff was directed to update Resolution 2021-08 with the correct budget amount once the changes have been implemented to the Tentative Proposed Budget.

**B. Consideration, discussion, and possible action regarding staff recommendation for new engineering department and staff positions. (10 min)**

Town Manager Hendrix presented Jack Moody with the presentation for the new staff recommendation for new engineer department and staff positions. Jack Moody was present via zoom and explained the benefits of having a town engineer. The memorandum is available on the town website for the public's viewing. Jack breaks down the duties of a Town Engineer, considerations on acquiring a person for the position, such as in house or consulting firms, and suggested that it would be beneficial to the Town that the candidate be a registered engineer in the state of Arizona.

Councilmember Wirth asked whether the amount of time used by the consultant was travel time. Jack responded that it is uncertain whether the amount is related to travel time as the billing is reflected through the invoices made by the consultant.

Town Manager presented the staffing model which is also available for the public's viewing on the Town website. The staffing model's purpose is to have direct lines of communication between each department. Town Manager asked for council's consideration to approve the model and then direct staff to clarify the job description for the below items on the staffing model.

Mayor Vail thanked Jack Moody for his presentation and memorandum with the recommendation for a licensed engineer.

Call to the public: None.

**Moved by Mayor Vail, Seconded by Councilmember Greg Brush. Motion to approve the staff model for the engineering department which includes that the candidate be a registered professional engineer in the state of Arizona and staff positions as recommended by staff. Vote 4-0 Passed Unanimously**

**C. Consideration, discussion, and possible action regarding IGA with Coconino County Community Development for permit and inspection services, Jason Cristelman. (10 min)**

Town Manager introduced the draft Intergovernmental Agreement (IGA) for Coconino County and stated that Jason was unable to attend. The proposed IGA is available for the public's viewing on the Town website. The proposed agreement is currently under review and should be ready for presentation to council this month of June. The major objective is for applicants to be able to apply for permits online. The proposal also included a provision that the county will inspect based on code adopted by the Tusayan Town Council. The enforcement and engineering will still be left to the council to negotiate.

Vice Mayor Harris inquired about the time frame for the proposed improvements. Town Manager stated that applicants that have signed through Willdan would stay with Willdan and finish up with them. New applicants would apply through the Town portal, and they would be in line with the entire Coconino County.

Councilmember Wirth inquired about the term limit for the IGA. Town Manager responded that it would be for one year. Mayor Vail asked for clarification on when Coconino County would like to take on the new adopted code and if they would have layers on their website for applicants to know when their permits expire. Town Manager responded that they would adopt the code once council has an approved version.

Mayor asked for any questions from the public.

John Vail asked how often the inspections would be as inspections are currently twice a week which becomes expensive as TFD have to stop what they are doing to arrange for the inspection. Mayor Vail explained that inspections in the past were done on Tuesdays and Thursdays, but it is unclear if that process is the same for Coconino County. However, Mayor advised that Coconino County does have set inspection dates that could also be scheduled.

Jack Moody suggested that the county should provide this service to this town and have thought about adding to the IGA that the inspector is not an employee of the Town and does not have direct influence over an opinion or a direction from Council as they would be employees of the County. Town Manager clarified there are newly added terms to the IGA that clarifies employee roles and Town codes.

No further questions from public.

**D. Consideration, discussion, and possible action regarding Sports Complex Master Plan: Ramada/Outdoor Classroom, project schedule and other related projects. (10 min)**

Town Manager presented an update on the construction schedule and price schedule for council review. All documents are available to the public through the Town website. Town Manager mentioned that the design team concluded that the request for storm shutters was out of the scope of the original project and would cause several issues to the design work, the current design would need to be stopped and a new contract would need to be drawn up to include the shutters. Presently, Experplay is two weeks from completion of the design. Town Manager requests direction from Council on how to move forward.

Councilmembers discussed the importance of not delaying the progress of the project any further and that additional shutter costs could be used for other necessary projects.

Mayor Vail added there has been expressed interest from the Senators office that could bring about additional funding for the project.

Call to the public: None.

**E. Consideration, discussion, and possible action regarding Request for Qualifications (RFQ) for special landscaping project to beautify town encroachment areas. (10 min)**

Town Manager presented the project for landscaping in special (ADOT) encroachment areas along state highway 64. A copy of the RFQ is available to the public through the Town website. The RFQ was developed for a vendor to perform special landscaping services on an as needed basis. Most importantly, design and installation of landscaping in special encroachment areas as specified in the RFQ. The RFQ also requests that the proposals be mindful of maintenance, the environmental demands of the area, and the community which we serve.

Mayor Vail requested that each vendor provide maps and visuals in the Exhibit A section. Councilmember Wirth commented about a previous beautification project done by the Town, ADOT was firm that the indigenous plants needed to be present. Mayor Vail mentioned that ADOT has a plant list, and any additional planting must be approved by them. Town Manager clarified that the agreement has the language that states that they need to work with ADOT's restrictions.

Call to the public: None.

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

Town Manager presented an update regarding the drone show for July 3<sup>rd</sup> & 4<sup>th</sup> with a video example of how the formations will be presented. Town Manager requested feedback for any other suggested or agreed upon formations. The plan is to launch the show from the forest service parking lot (adjacent to the north round about). The Forest and National Parks Service are working with Town staff to secure permits for the site and staff has obtained permission to utilize necessary logos and film footage.

Call to the public: None.

Mayor Vail thanked Vice Mayor Harris for helping come up with a great theme, "United We Stand, Our Grand Community", for the fourth of July event.

Town Manager asked for feedback on the Chamber of Commerce landing page and whether there are any comments or suggestions regarding it. Mayor Vail directed Town staff to add in the band logos, the location of the event clearly, and the timeline.

**G. Consideration, discussion, and possible action regarding resolution 2021-07 declaring certain Town property surplus and directing staff to conduct online auction. (10 min)**

Town Manager presented resolution 2021-07 and identified certain items listed in the resolution ready for auction. Resolution also directs Town staff to sell the items at online auction and to utilize the items for a suitable public purpose.

Call to the public: None.

**Moved by Councilmember Becky Wirth, Seconded by Councilmember Greg Brush, motion to approve resolution 2021-07 declaring certain Town property surplus and directing staff to conduct online auction and in the alternative, staff may utilize the items for a suitable public purpose. Vote 4-0 Passed Unanimously**

**Town Manager requested council to move forward with the fiscal budget and consolidate H, I, J together.**

- H. Consideration, discussion, and possible action regarding chart of accounts in ClerkBooks accounting program. (5 min)
- I. Consideration, discussion, and possible action regarding beginning fund balances in the ClerkBooks accounting program. (5 min)
- J. Consideration, discussion, and possible action regarding coding changes in the ClerkBooks accounting program. (5 min)

Town Manager briefed council that line items H-J were a follow up to the previous meetings. Town Manager presented the monthly financials through April and requested a motion to approve the changes to utilities, legal department, and telecommunications in ClerkBooks. Town Manager added that Staff's next step in ClerkBooks programming would be coding changes that would be presented to Council in the next meeting.

Call to the public: None.

**Moved by Mayor Vail, Second by Councilmember Wirth, Motion to approve the changes as presented by staff that include utilities change, legal department change to go to economic development line item, and telecommunications change. Vote 4-0 Passed Unanimously**

**Mayor Vail moves that line-item N be presented before K, L, M as council will be discussing the other items in executive session first.**

- N. Consideration, discussion, and possible action regarding American Rescue Plan funds and designation of Town Manager as authorized agent for application purposes. (10 min)**

Town Manager presented information relating to the American Rescue Plan Act funds. Staff will immediately begin the process of applying to the state for the receipt of these funds that will come to the Town in tow disbursements. The Town will be able to utilize these funds for five major categories that are specifically defined by federal guidance; Support Public Health Expenditures (related to Covid), Address Negative Economic



Impacts Caused by the Public Health Emergency, Replace Lost Public Sector Revenue, Provide Premium Pay for Essential Workers (Covid related), and Infrastructure (covid related). Town Manager explained requirements are expected to follow in future months and the Town will be responsible for reporting directly to the federal treasury. Town Manager requests authorization from council to begin the process to apply for the funds.

Call to the public: None.

**Moved by Vice Mayor Brady Harris, Seconded by Councilmember Becky Wirth. Motion to designate Town Manager as authorized agent for application purposes. Vote 4-0**

**Moved by Councilmember Becky Wirth, Seconded by Vice Mayor Brady Harris. Motion to go into Executive Session to discuss a variety of items including 7A, 7B,7C,7D at 5:26PM. Vote 4-0 Passed Unanimously**

**Council will update via Zoom on when will be back starting at 6:15 pm.**

**K. Consideration, discussion, and possible action regarding Broadband Internet Services, and possible contract with ATNI. (10 min)**

Mayor Vail mentioned that this item was discussed in executive session with direction to staff.

Call to the public: None.

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

**Councilmember Brush recused himself for this item.**

Mayor Vail stated that some items were discussed in executive session and proposed that she and Vice Mayor Harris discuss these items further as a committee. Mayor suggested to plan a meeting with Tusayan Fire District along with attorneys to streamline negotiations and have a finalized IGA in place.

Call to the public: None.

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

Mayor Vail was given direction from the Tusayan Sanitary District that their draft was still being worked on and will be kept on as an agenda item until an IGA draft is completed by Tusayan Sanitary District.

Call to the public: None.

## **7. EXECUTIVESESSION**

*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 Councilmember Becky Wirth, Seconded by Vice Mayor Brady Harris. Motion to go into Executive Session to discuss a variety of items including 7A, 7B,7C,7D at 5:30PM. Vote 4-0 Passed Unanimously**

**Council will post an update via Zoom on when will be back starting at 6:30 pm.**

**The Council came out of Executive Session at 7:25 PM**

- A. Pursuant to A.R.S. § 38-431.03 A.3. and A.4. discussion regarding contract with Broadband Internet Services, ATNI. (10 min)
- B. Pursuant to A.R.S. § 38-431.03 A.3. and A.4. discussion regarding Intergovernmental Agreement (IGA) with the Tusayan Fire District. (20 min)
- C. Pursuant to A.R.S. § 38-431.03 A.3. and A.4. discussion regarding Intergovernmental Agreement (IGA) with the Tusayan Sanitary District. (20 min)
- D. 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. (20 min)

## **8. REPORTS**

### **A. Town Manager**

#### **1. Town Manager Report**

Town Manager presented the Manager report.

The Traffic Test presentation is available to the public on the Town's website. Town Manager advised the public that from 6/16/2021-6/22/2021 a traffic test is scheduled through the roundabout. If the test is successful, ADOT will repaint the lines in that area so that there are two lanes of traffic leading to the park.

Town Manager presented the graduation banners and the ad regarding the high school graduation.

Town Manager presented the new business licenses that will be issued and advised that the business licenses will be sent out this month with a letter explaining the Town's procedure. Town Manager advised that there will be an expiration date on the business license for December 31, 2021, so that businesses have time to pay the license fee. Once a business pays the fee, the Town will issue them a sticker that will be placed over the expiration date on the business license to show that it is current and paid. Any business license without the sticker will not be valid past January of 2022.

**a) Town Financial Report**  
Quarterly Investment Report

Town Manager presented the Pooled Collateral Program Statement issued by the Arizona State Treasurers office. A copy of the document is available to the public on the Town's website. Councilmembers had previously asked for this report which explains each deposit made by the state to the Town. Town Manager explained that the Treasurer's office sends a report for each deposit made and the town approximately gets over ten reports a month.

Town Manager presented the investment report and directed councilmembers to review the "Staff Report Summary" for the Town Manager's report regarding the Quarterly Investment Report. The Staff Report Summary is available to the public on the Town's website. Town Manager would like direction from council in terms of diversifying and reinvest the funds on hand.

- b) 2021 Meeting Schedule**
- c) Annual Town Calendar**
- d) Annual Budget Calendar**
- e) Strategic Planning Updates**

**2. Organization reports**

**B. Council Members**

Councilmember Brush advised that TFD is working with the County to schedule a Pfizer two dose vaccination event that is tentatively scheduled for next week, Thursday, June 17, 2021, from 10AM-1PM at the IMAX. Councilmember Brush thanks the theater and the county for their assistance on this event.

### C. Mayor

Mayor thanked the community for coming out and helping with the community garden. Mayor also reported that she attended a meeting with the water advisory that was very informative and would be sending councilmembers additional information. Mayor added that there would be a Navajo Taco/Burger sale/fundraiser coming up on June 12, 2021, at 11 AM for the GC Basketball team. They will be attending the Native American Basketball Nationals in Las Vegas.

Mayor asked councilmembers and the community to check out the Traffic Test for any feedback.

### 9. FUTURE AGENDA ITEMS


Mayor Vail stated that she would like to see both Sanitary and TFD IGA's on the next meeting agenda as negotiations are still ongoing.


Councilmember Wirth reported that airport businesses would like assistance attracting more foot traffic through the airport as the sandwich boards have been taken down due to zoning violations. Councilmember Wirth proposed that, as a council, they can come up with a solution and hear some solutions from those businesses at the airport on how to attract more business. Councilmember Wirth also suggested putting banners throughout the main street path advertising the business who purchased the banner to assist businesses who are off the main street path.

Town Manager encouraged council to tentatively cancel the July workshop meeting set for July 28, 2021, as there is not a designated topic for that meeting and would help staff catch up on projects, plan for fall projects, complete year-end financial work, and train new personnel. Councilmembers were in consensus to tentatively cancel the workshop meeting.

### 10. MOTION TO ADJOURN

**Moved by Mayor Vail, Seconded by Councilmember Wirth, Motion to Adjourn at 8:00PM. Vote 4-0 Passed Unanimously.**

  
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 June 9, 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

