

MINUTES

TUSAYAN TOWN COUNCIL REGULAR MEETING
PURSUANT TO A.R.S. § 38-431.02 & §38-431 .03
Wednesday, December 9, 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, December 9, 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 REGULAR MEETING SUMMARIZED MINUTES

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Craig Sanderson called the meeting into order at 3:00 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*

Council Member Al Montoya was present by Zoom. A quorum was declared after roll call.

MAYOR CRAIG SANDERSON
VICE MAYOR BRADY HARRIS

COUNCIL MEMBER ROBB BALDOSKY
COUNCIL MEMBER AL MONTOYA
COUNCIL MEMBER BECKY WIRTH

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

Staff Present: Town Manager Charlie Hendrix; Town Clerk Marla Wortmann; Executive Assistant Jill Goodman

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.

None at this time.

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

A. **Presentation of Recognition of Service to Members of Council and public, Mayor Craig Sanderson. (15 min)**

Mayor Craig Sanderson recognized the current council members and thanked all for their service. Mayor Sanderson recognized the new incoming members of the council.

Incoming Mayor Clarinda Vail thanked Mayor Sanderson for his years of service.

B. **Swearing in and seating of Mayor Clarinda Vail and Council Member Greg Brush and presentation of the gavel, Mayor Craig Sanderson. (10 min)**

Judge Robert Krombeen by Zoom administered the oath of office to Greg Brush as a Council Member on behalf of the Town of Tusayan. Greg Brush thanked everyone for their support.

Mayor Craig Sanderson administered the oath of office to Clarinda Vail as Mayor on behalf of the Town of Tusayan. Mayor Clarinda Vail thanked everyone for their support during the election and encouraged all to give their input at the council meetings so there is a group input. She thanked the previous council members for their service.

C. **Presentation of Recognition of Service to outgoing Mayor and Members of Council, Mayor Clarinda Vail and Vice Mayor Brady Harris. (10 min)**

Mayor Craig Sanderson presented an engraved gavel to incoming Mayor Clarinda Vail as a symbol of the duties of mayor. Mayor Clarinda Vail presented an engraved gavel to outgoing Mayor Craig Sanderson for his years of service. Mayor Craig Sanderson thanked Council Member Al Montoya for his years of service and read a plaque commemorating his service which will be sent to him.

After the swearing in the council will take a brief recess. A quorum of the council may remain present during this time but no public business will be conducted. The council will reconvene indoors in public session at 3:00 PM

Meeting resumed at 3:00 PM. Mayor Clarinda Vail welcomed everyone back. Members listed below were presents. A quorum is present.

**MAYOR CLARINDA VAIL
VICE MAYOR BRADY HARRIS**

**COUNCIL MEMBER ROBB BALDOSKY
COUNCIL MEMBER BECKY WIRTH
COUNCIL MEMBER GREG BRUSH**

D. Coconino Emergency Management -Ready, Set, Go Presentation. (10 min)

Mark Christian, Program Coordinator (present by Zoom) with Coconino County Emergency Management gave a presentation on the Ready, Set, Go program. Ready (get ready - prepare now), Set (awareness - be alert), Go (get notification out to communities for evacuations which are current and necessary). Flyers and Presentation are attached to the agenda on the town's web page. A Webinar will be presented on December 16, 2020. More information can be found at the web page ein.az.gov/ready-set-go. There are 3 main responsibilities for the Sheriff's office: 1) Responsible for the physical evacuation of an area, 2) Responsible for the security of the evacuated area, 3) Responsible for the organization and coordination of the re-entry to an area post threat event. Town Manager, Charlie Hendrix reported the Town of Tusayan has been working with Coconino County Emergency Management on the Hazardous Mitigation Plan for the next cycle and will be discussing this more in the future.

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.

Moved by Vice Mayor Brady Harris, seconded by Council Member Robb Baldosky. Motion to separate all items with the Trails Inspire Invoices/payment from the Consent Agenda, Item 6C. Vote:5-0 Passed Unanimously

A. Billings of payable accounts (November 1-30, 2020).

B. Billings of Electronic and Automatic Payable Accounts. (November 01-November 31, 2020). (Pre-authorization (December 16-December 31, 2020, and January 01-January 31, 2021).

Moved by Vice Mayor Brady Harris, seconded by Council Member Robb Baldosky. Motion to pass Consent Agenda Items 6A and 6B. Vote:5-0 Passed Unanimously

C. Trails Inspire Invoices for Tusayan Community Trails Plan.

Vice Mayor Brady Harris asked for the invoices to be explained since the invoices listed are from 2018 and October 2020. Town Manager, Charlie Hendrix explained the information was separated on the Consent Agenda because there is no contract currently in place for this work. So specific council approval would be needed for this item. There is no contract due to budget time decision to hold off on the project. It is understood that Phase I of the project is completed. Phase II has not been complete of this three-phase project. Some work was started on Phase II by approval of the previous manager. The Council requested that the contractor obtain releases from all landowners, which was not completed by the contractor due to concerns with the lack of a signed contract. In October the town received an invoice on Phase II. We are unclear if this is a typo and should be Phase I and more investigating needs to be completed. Manager Hendrix recommended the council request information in writing from the contractor so there is a record of what has been done and what is billed due to confusion in the past. After discussion on the items listed on the invoice and Home Rule requirements, the council consensus was to take no action and direct staff to obtain an

explanation in writing and have the contractor appear in person at a future meeting to discuss the issues.

7. ACTION ITEMS

- A. Consideration, discussion, and possible action regarding liquor license for Foodieclub. (10 min)

Mayor Clarinda Vail recused herself from this Action Item. Vice Mayor Brady Harris chaired this item. Town Manager Charlie Hendrix reported the town has considered this item once before, but due to a procedure issue which has nothing to do with the Town it is coming before the council again. Staff recommends the approval of this license. Full application is in the packet along with the posting notice.

Moved by Council Member Robb Baldosky, seconded by Vice Mayor Brady Harris. Motion to approve the liquor license for the Foodieclub. Vote: 4-0 Passed Unanimously (Mayor Clarinda Vail recused)

- B. Consideration, discussion, and possible action regarding Resolution 2020-20 Property Buyout Policy. (10 min)

Town Manager Charlie Hendrix reported this is due to a gap in the town policy. The policy is for certain town officials when they depart the town can purchase equipment if it has reached its lifespan for the fair market value of the equipment. Council Member Becky Wirth suggested adding "and remove from any town or technology package/provider plan. "

Moved by Mayor Clarinda Vail, seconded by Council Member Robb Baldosky. Motion to approve Resolution 2020-20 Property Buyout Policy with adding that the individual be removed from any Town Phone or Technology Package. Vote: 5-0 Passed Unanimously

- C. Consideration, discussion, and possible action regarding webcam purchase. (5 min)

Town Manager Charlie Hendrix reported it has been suggested the town would benefit from having a web-camera which could broadcast on the internet. Both Mayor Sanderson and Council Member Greg Brush have talked to the manager on this idea. The town has put in a formal request with APS for permission to install a web-camera, but have not heard back yet. Council Member Greg Brush reported he feels it is a great idea and has a lot of friends who enjoy web-cameras in different areas. It would be good to have one with the Tusayan name on it. No price checking has been completed yet. The town contractor will get this information together. Once we get more information on if it will be allowed and at what height, it will be brought before the council. We are hoping for the ability to have a solar-powered camera, but have to wait to see what is available. If staff hears back positively, staff will incorporate all the feedback and bring a proposal to the council. Mayor Craig Sanderson discussed the proposed idea of where the web-camera would be situated in the Round-About.

Member of the public John Thurstos asked about having the Council Meetings live-streamed on the internet in the future. No action was taken at this time.

D. Consideration, discussion, and possible action regarding Forest Permit Update. (5 min)

Town Manager Charlie Hendrix reported this item is on the agenda to update the new council on items received at the office regarding updates with the Forest Service and a letter from the Grand Canyon Schools. Bill McGrath will brief the council at a later meeting. Mayor Clarinda Vail discussed the concerns brought up by the school's letter as to granting access via Long Jim Loop. That proposed access is still one of a possible 5 alternative routes and even though it is not the preferred option, it is still on the list. At this time it is unclear if an amendment is necessary. Discussion continued on the access being listed due to reporting all possible accesses, not just the preferred ones for review. The public can give their input during the public process during the review of the application. Clarification of the Westland contract was discussed. Manager Hendrix advised the Town is not a party to the contract and could request a copy of the contract. There is no instruction to staff to respond to the letters from the Forest Service and Grand Canyon Schools at this time.

Public comment: John Thurston commented that as a member of the public he preferred not to see an increase in traffic in the area of the proposed roads. Council responded it is not the preferred route, but one of the listed routes. John Vail asked if this is a conflict for Westland? Council responded that is a question for Westland or the forest service. Town Attorney, Aaron Arnson reported this is not a question for us to answer since the town is not part of the contract. The question should be brought to the forest service.

E. Consideration, discussion, and possible action regarding Town Holiday hours and Christmas Eve Holiday Designation. (5 min)

Town Manager Charlie Hendrix reported the Town office will be closed on Christmas day and New Year's Day. Christmas Eve is sometimes declared by the President to be a Holiday. Some towns have an authorization if the President declares a holiday, then the town automatically declares a holiday, but the Town of Tusayan has the council authorize if there is a declared holiday. Manager Hendrix requested at least a half day holiday on Christmas Eve for staff to be able to leave early on that day.

Moved by Council Member Robb Baldosky, seconded by Vice Mayor Brady Harris. Motion to declare a 1/2 day Holiday for Christmas Eve day. Vote:5-0 Passed Unanimously

F. Consideration, discussion, and possible action regarding Holiday Plans update. (5 min)

Town Manager Charlie Hendrix reviewed updates from Cindy May and passed around a flyer. A 20-second radio ad created by Cindy May was played for the Council which will begin airing for the Holidays. A 30-second ad will also be airing. We are advertising in the California area, since they are in lock-down, we are making sure the ads are legal and appropriate in their area. Several things are going on throughout the town including the Santa Shack which the town is taking reservations for appointments. Council was invited to stop over to check it out. In addition, we continue to encourage people to decorate for the holidays. The town is grateful to the local businesses for decorating for Christmas and elevating the decorations to a great level. There is a coloring contest for the youth and a window decorating contest for the adults with some great prizes. People are asked to sign up online to be a part of the contest. The council will have to decide how to judge the contests. In the contest for the Adult division window decorating, first place is \$100 gift card, second place is \$50 gift card and third is \$25 gift card. In the contest for kids coloring pages, first place is \$50 gift card, second place is

\$25 gift card and third place is \$25 gift card. It was advised to split up the duties of the council as one team for windows and one team for coloring contest in deciding contest winners to avoid any quorum issues. Each group is asked to email their winner to Manager Hendrix by December 20th.

G. Consideration, discussion, and possible action regarding authorization to allow engineering data regarding flood plain study to be released to the Tusayan Sanitary District. (10 min)

Town Manager Charlie Hendrix reviewed a summary from Woodson Engineering and Surveying, Inc on the costs of the original product costs and the costs to get a copy for the town or a third party. Discussion continued on the topic of the town having already paid for a map and should have a map and access to a digital copy of the map. The council felt this information should be available and free to the public. Manager Hendrix recommended the town should have a digital and a physical copy of the map at the town office. When asked if the council could release this information to the Tusayan Sanitary District and the public, they were advised not to release all the information from the contract to the public in case it is protected by the contract. Council Member Becky Wirth stated for the record she thinks it should be released to the public if we are not under a contract obligation. Manager Hendrix advised when she spoke to the engineer, he made it clear the intent was to be released to the public. Manager Hendrix asked the council to authorize the staff to obtain a copy of the map for the town as well.

Public comment: John Rueter stated a long time ago when they started this project, it was to create a baseline data of the floodplain. It was never intended to withhold information. The original idea was to get the information together for the public.

Mayor Clarinda Vail asked about the contract the town has with them and if there is any copy right language in it. Manager Hendrix will review the contract for this information.

Public comment: Pete Shearer (online) wanted to thank the town for providing the information.

The council was in agreement the information should be released and next discussed who should absorb the costs of obtaining the maps. Council instructed staff to obtain a copy of the map for the town and the Sanitary District as cheap as possible in digital or print and getting a copy to share with the public. The cost involved will be on the next invoice list.

Mayor Clarinda Vail announced the next items 7H, 7I, 7J and 7K will all be heard after Executive Session since they are items related to Executive Session. Items 7H, 7I, 7J and 7K were re-ordered to be heard after Executive Session.

Moved by Mayor Clarinda Vail, seconded by Council Member Becky Wirth. Motion to move items 7H, 7I, 7J and 7K on the agenda to be heard after Executive Session. Vote:5-0 Passed Unanimously

Moved by Council Member Robb Baldosky, seconded by Vice Mayor Brady Harris. Motion to enter Executive Session at 4:20 PM. Vote: 5-0 Passed Unanimously

- H. Consideration, discussion, and possible action regarding Resolution 2020-21 Online Banking Policy. (10 min)

After coming back out of Executive Session, Town Manager Charlie Hendrix gave a summary of the policy. There is a gap between our current policy and this will bring us up to date with the online banking rules.

Moved by Vice Mayor Brady Harris, seconded by Council Member Robb Baldosky. Motion to approve Resolution 2020-21 Online Banking Policy. Vote:5-0 Passed Unanimously

- I. Consideration, discussion, and possible action regarding Kaibab Learning Center agreement. (15 min)

Town Manager Charlie Hendrix reported the staff received their instructions during the Executive Session on this matter.

Moved by Mayor Clarinda Vail, seconded by Vice Mayor Brady Harris. Motion to direct the Town Attorney and Town Manager to proceed as discussed in the Executive Session regarding Kaibab Learning Center agreement. Vote:5-0 Passed Unanimously

- J. Consideration, discussion, and possible action regarding Hydro-Resources, Inc. (20 min)

Town Manager Charlie Hendrix reported staff receive direction needed in Executive Session.

Moved by Mayor Clarinda Vail, seconded by Council Member Robb Baldosky. Motion to direct Town Attorney and Town Manager to proceed with direction given during Executive Session regarding Item 7J. Vote:5-0 Passed Unanimously

- K. Consideration, discussion, and possible action regarding call of special election to consider the question of purchasing a public water utility. (10 min)

No Action taken at this time.

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.

- A. Pursuant to A.R.S. § 38-431.03 A.3. and A.2. discussion Resolution 2020-21 Online Banking Policy. (20 min)

- B. Pursuant to A.R.S. § 38-431.03 A.3. and A.4. discussion Kaibab Learning Center agreement. (20 min)

- C. Pursuant to A.R.S. § 38-431.03 A.3. A.7. and A.4. discussion regarding Hydro-Resources, Inc. (20 min)

9. REPORTS

A. Town Manager

Town Manager Charlie Hendrix reported she has included most everything in the report attached to the agenda. The parking lot has been upgraded and repairs have been made. Thank you to Council Member Robb Baldosky for his expertise in helping with this project. Manager Hendrix will be working on Emergency Preparedness and working with Council Member Greg Brush in his capacity with the Fire Department on the Hazardous Mitigation Plan. Also, the town will be getting quotes on generators for the town office in the event of winter storms. Attached to the agenda is a calendar highlighting items for the upcoming year.

a. Town Manager Report

b. Town Financial Report

Town Manager Charlie Hendrix reported the financial report is in the packet and available online. A summary of the report shows we are a little over on the attorney costs as anticipated and will move moneys around to cover this costs. The Cares Act allocation has been spent on law enforcement. This in turn frees up funds in the general fund. Mayor Clarinda Vail commended staff, especially the Manager and Town Accountant, Cristina Cartin, on the job being done this year and staying within the budget.

Manager Hendrix reported an item came up during the Sanitary District Meeting today and discussed the idea of joint powers with Bob Petzoldt. Bob Petzoldt discussed the problems with the flood issues and whose problem it would be. A joint interest of powers with the town and the sanitary district was suggested to reach the goals on the flood issues. This can be discussed at a future meeting.

c. Organization Reports

1. Selection of Restaurants for Town Council Meals

The council will be selecting a restaurant for staff meals before each monthly meeting. A box has been made to draw each name out of for the next meeting. Each restaurant in Tusayan is in the box so all will be supported. Once each has been drawn, the names will be put back in and start over. The name drawn this meeting by Council Member Robb Baldosky is Big E Steak House.

B. Council Members

Council Member Greg Brush thanked the Coconino County for all their efforts working through the Covid crisis with testing and the upcoming vaccinations. No dates are set yet for the vaccination which should start with the emergency responders.

Vice Mayor Brady Harris reported on the excess available after the Thanksgiving Turkey Distribution. They plan to have another Distribution on December 17 from 1-3 pm to hand out some excess food. People will be asked to sign up ahead of time. We are

working with the Spirit of the Canyon/Tusayan Food Bank because they have the resources available for the online sign up and the no contact delivery. If the town continues with these distributions, they can look into setting up the website for future distributions. Any excess after this distribution of non-perishable items will be used in emergency kits or for next year's distribution depending on the expiration dates.

C. Mayor

No report and looking forward to working with everyone.

10. **FUTURE AGENDA ITEMS**

A. January Retreat

Town Manager Charlie Hendrix reported a draft calendar is available for the council. There is an issue with Planning and Zoning with the Interim Engineer planning a workshop in January with two requests for a meeting and planning the January Retreat. Aaron Arnson, Town Attorney, advised the Mayor and Council Planning and Zoning is an independently established commission and if they have a quorum and wish to call a meeting they can. For consistency's sake for the public and property owners in town, Planning and Zoning should have regularly scheduled meetings going forward. Mayor Clarinda Vail agreed moving forward should have regular scheduled meeting and encouraged the use of the town's web page for checking upcoming meetings. The plan was to meet during a workshop with the Interim Engineer and Planning and Zoning on January 27th to discuss vision and goals. Mayor Clarinda Vail confirmed the workshop would work on January 27th. (Later in the meeting Council discussed moving until February meeting.)

Council Member Robb Baldosky discussed having a concept for the Roundabout discussed at the January 13th meeting. It looks different since it has the Christmas lights and has been cleaned up.

The Council retreat was discussed for a 2-day retreat. The Council discussed going out of town to remove them from the situation and have a break. Manager Hendrix asked the council to give staff instruction to check for social distancing options with whatever location is chosen and council agreed with this instruction. The Council instructed staff to look into a tentative date of January 29-30th at Sedona, Phoenix or Scottsdale with social distancing options.

B. Tusayan Annual Calendar

11. **MOTION TO ADJOURN**

Moved by Mayor Clarinda Vail, seconded by Council Member Greg Brush. Motion to adjourn the meeting at 6:05 PM. Vote: 5-0 Passed Unanimously

