



MINUTES¹

TUSAYAN TOWN COUNCIL REGULAR MEETING

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

Wednesday, April 13, 2022 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 13, 2022, 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. Due to limited bandwidth capacity, we ask that you please turn off your Wi-Fi while at Town Hall and for those attending via Zoom, please turn off your video. This will provide for a better experience for all in attendance. Thank you.

TOWN COUNCIL REGULAR MEETING MINUTES

1. **CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

Mayor Vail called the meeting to order at 3:00 p.m. and led the Council in the Pledge of Allegiance.

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

MAYOR CLARINDA VAIL - Present

COUNCILMEMBER BECKY WIRTH - Present

¹ For economy of space and ease of reading the minutes have been organized according to the agenda language. Items as they appear on the agenda have been italicized with the actual minute entries entered in plain type for reader convenience.

VICE MAYOR BRADY HARRIS - Present

COUNCILMEMBER ROBB BALDOKSY - Present
COUNCILMEMBER GREG BRUSH - Present

3. ADOPT THE AGENDA

Mayor Vail proposed move item 7B to fit with the availability of the NAU presenters.

Vice Mayor Harris proposed item 7E be heard later in the meeting due to Craig Sanderson's availability.

Town Manager Hendrix requested that Council remove item 6G from the agenda as it is not ready yet.

Motion to adopt the agenda as presented with proposed changes. First by Mayor Vail and seconded by Councilmember Baldosky. Motion carries, 5-0 in favor.

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.

5. CEREMONIAL AND/OR INFORMATIONAL MATTERS

A. Presentation on Cloud Seeding. (10 min)

Councilmember Brush introduced Gary Walker, a pilot in the cloud seeding industry and CEO of SOAR, a company that provides cloud seeding services.

Gary Walker believes that the Town may benefit more from air-based cloud seeding. Advised that the best times for seeding here are during July and August. Cloud seeding is used in 40 countries across the world. His company has a full-time meteorologist for daily forecasting, which provides for the best results. His company uses Hydroscopic flairs for warmer conditions and is water soluble in addition to silver iodide which works in cooler conditions. Cost is about \$50,000.00 per month and is dependent on availability of clouds to seed and flairs. Operator must be licensed in the state, which is industry standard. Contamination concerns have been brought up in the past, but studies of California snowpack have shown that silver contamination is very minimal and does not have negative impacts. Seeded clouds rain more and last longer than non-seeded clouds, so it does not negatively impact rain fall in other areas.

Councilmember Brush inquired about what \$50,000.00 per month will get the town.

Gary Walker advised that summer programs he runs can typically fly about 2-3 mission a day dependent on suitable clouds for seeding. His New Mexico project is about 15 million acres with multiple planes needed.

Mayor Vail inquired about the \$50,000.00 being a maximum per month.

Gary Walker advised that it will all be dependent on cost of fuel. He can bid the project depending on how the Council would like. In the past he has bid the fixed costs, then invoice the fuel and flair costs monthly.

Mayor Vail spoke on the upcoming retreat and the potential for this being an item of discussion.

Bob Pedzoldt inquired about area coverage per plane.

Gary Walker advised that it varies based on shape of target area and the planes distance from the target. Additionally, advised that it is ideal to catch the clouds in the first half life for best results. Recommended a two-month program as a trial run to see if community benefits from results and advised against a yearlong program.

Pete Shearer commented on cloud seeding in Arizona.

Mayor Vail thanked Gary Walker for his time and inquired about what issues could potentially arise when the land is state or federally owned, since there is very little privately owned land in Town.

Gary Walker advised that he has not had any issues in other states regarding arial applications for cloud seeding but advised he would need to discuss this with the regulatory authority in Arizona. Additionally, advised that he is not currently licenses in the state of Arizona, but does not believe that it would be an onerous process to become licensed.

Pete Shearer commented on interests of other organizations in the area in cloud seeding.

Gary Walker expressed interest in working with additional community stake holders.

Town Council thanked Gary Walker for his time.

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.

- A. *Ratification of payable accounts*
- B. *Ratification of Electronic and Automatic Payable Accounts and Spending Limit Pre-authorization*
- C. *Minutes of Council Meeting held on March 2, 2022.*

- D. *Approval of Intergovernmental Agreement (IGA) with Coconino County Elections Department for Provision of Services.*
- E. *Approval of ACH vendor list for town depository at Alliance Bank.*
- F. *Approval of Return of Rotary Donation for School Property Ramada/Outdoor Classroom.*
- G. *Approval of Resolution 2022-08 Grant Administration Policy.*

Motion to approve the consent agenda including items 6A through 6F. First by Mayor Vail and seconded by Councilmember Wirth. Motion carries, 5-0 in favor.

7. ACTION ITEMS - STAFF REPORTS

- A. *Consideration, discussion and possible action regarding Budget Update and start of season/spending requests. (5 min)*

Town Manager Hendrix briefed Mayor and Council on the budget notices that have been posted in the paper and advised that the town is accepting requests from the public but have yet to receive any. The town will be accepting requests until April 27, 2022 the day the Council workshop meeting is scheduled. We are currently accepting staff requests and would like to open the floor to Council for budget requests to assist staff in preparation for the upcoming workshop meeting.

Mayor Vail listed her budget requests. The want for more community events in general; marketing; continued library services; TFD review per IGA; master plan for sports complex; and direct cash payments to individuals from regular budget.

Vice Mayor Harris listed his budget priorities. He would like foundational restructure of housing authority; develop affordable housing; town beautification master plan; sports complex/ramada and expansion of community gardens; water utility purchase and potentially expanded services with park services and ADOT; exploring tourism commission (ex: flagstaff) and establish office of tourism i.e. location, plan and marketing; update multimodal plan with other stakeholder throughout the region; community outreach and stakeholder meetings with town staff involvement; movie nights and holiday outreach; highway development - studies on highway 64 and community partner involvement in order to garner funding; and flood plain projects.

Councilmembers Baldosky and Wirth voiced agreement with all items presented.

Mayor Vail would like to discuss cloud seeding at the retreat as well. Reiterated public input welcome on budget requests.

No public comment at this time.

- B. *Consideration, discussion and possible action regarding Summer Youth Program and Memorandum of Understanding with NAU. (10 min)*

Town Manager Hendrix introduced Dr. Powell with NAU.

Dr. Powell introduced Dr. Brian Stone, professor at NAU and Jennifer Lee, the practicum coordinator. She briefed Council on summer camp program that will provide practicum experience for their students relating to literacy. NAU would like to participate for two of the four weeks the summer program is operating to offer literacy plans. The University has received funding from a generous donor to send students to the Town for this literacy program. This offering could open the door for future grants opportunities.

Jennifer Lee spoke on the affiliation agreement and advised that this is standard for their practicum students. Any change requests would be considered a non-standard agreement and would need additional approval from their legal department.

Brian Stone, faculty lead for the practicum students. Spoke positively about this program and is excited for the opportunities to students.

Vice Mayor Harris and Mayor Vail thanked NAU for partnering with the Town for this offering.

Town Manager Hendrix advised that the Town has hired a recreational assistant to host the program and aid NAU with the program.

Motion to approve Memorandum of Understanding with NAU including the Student Placement Agreement. First by Vice Mayor Harris and Seconded by Councilmember Brush. Motion carries, 5-0 in favor.

C. Consideration, discussion and possible action regarding Library Services - newspaper subscriptions with the Williams Grand Canyon News. (5 min)

Town Manager Hendrix briefed Mayor and Members of Council on how the Town library services has been working with the Williams Grand Canyon News to make newspaper subscriptions available to the public. Staff is proposing to offer a Town of Tusayan services card "TOT Services Card" if this card is successful, it can allow for additional services in the future. At this time staff is recommending 25 subscriptions to start can be either physical or digital copies.

Mayor Vail inquired about the logistics of this program.

Town Manager advised that the subscriptions would be available to the person who checked them out for 1 year unless subscription is returned. The subscriptions are in the Town's name and not in the individual's name.

Councilmembers expressed favor of this offering.

Motion to approve the purchase of up to 25 Williams Grand Canyon News subscriptions. First by Vice Mayor Harris and seconded by Councilmember Brush. Motion carries, 5-0 in favor.

D. Consideration, discussion and possible action regarding Town of Tusayan Summer Movie Series. (5 min)

Town Manager Hendrix advised Mayor and Members of Council that the Town has been asked to make this offering available this summer. Cost would be minimal as Town has movie equipment. Her only concern is staffing and would like to ask local organizations to participate in this project and potentially utilize it as fund raisers.

Mayor Vail spoke in favor of this item.

Councilmember Wirth inquired about any solicitations of interest to operate as a fund raiser.

Town Manager Hendrix advised that the school has expressed interest in holding class fund raisers. A site would need to be chosen and would require hiring additional staff.

Mayor Vail expressed the need for Town staff for supervision for fund raiser events.

Councilmember Wirth inquired about NAU students assisting with this offering through the summer program or hiring high school students to assist.

Town Manager Hendrix advised that would be out of the scope of the current agreement with NAU.

Mayor Vail suggested second Thursday of the month for the offering.

Request from staff that this offering not be made in July due to 4th of July events.

Councilmember Wirth spoke in favor of allowing staffing decisions for this offering to be made by Town Manager Hendrix.

Town Manager Hendrix advised that she only need authorization to hire additional staff under previously approve job description for recreational assistant.

No public comment at this time.

Motion to approve summer movie series proposed for the second Thursday of the month and include hiring under the recreational job description previously approved by Council if additional staffing is needed and opening to organizations for fund raising. To be held in June, August and September. First by Mayor Vail and seconded by Councilmember Brush. Motion carries, 5-0 in favor.

E. Consideration, discussion and possible action regarding tourism advisory committee. (5 min)

Mayor Vail thanked Craig Sanderson for his attendance as he is a member of this committee. She spoke on the Resolution's lack of depth and expressed concerns regarding Section 5. She is concerned that it limits the talent pool. Once members established, work on bylaws and marketing.

Councilmember Wirth proposed the addition of the language, "must be employed or reside in the Town of Tusayan."

Mayor Vail spoke on the approval of the suggested change.

Town Manager Hendrix advised that the application process is not outlined in the resolution, but staff can collect the applications and Councilmembers will instruct the process. The Councilmember can nominate whomever they would like from the application process. The applications are online and available to members of the public.

Mayor Vail spoke in favor of the application process.

Mayor Vail and Councilmember Wirth spoke in favor of amending the resolution, bring back to future agenda and open the application process.

Craig Sanderson spoke in favor of amending the resolution.

Vice Mayor Harris inquired about the need for an application on Councilmembers own behalf.

Town Manager Hendrix advised the Council that public bodies typically require applications because, by filling out the application, the applicant is agreeing to a background check. This is important because the board is dealing with public funds, and it provides an extra layer of protection to the Town.

No public comment at this time.

Motion to bring back a resolution next month with changes to section 5 to say, employed or reside in the Town of Tusayan. First by Mayor Vail and seconded by Councilmember Brush. Motion carries, 5-0 in favor.

Direction to staff is to look at application to see if it requires a background check and if not, please add this requirement since the board will be dealing with Town money for marketing purposes. Please bring back to Council at the time the resolution is brought back to Council.

Vice Mayor Harris expressed concern about committee oversight.

Mayor Vail advised that bylaws are needed in order to work these concerns out. The committee should meet and create bylaws along with Town Council.

Town Manager Hendrix reminded council that staff is spread thin at this time.

F. Consideration, discussion and possible action regarding July 4th Drone Show, Laser Light Show, Parade, Event Rentals, other July 4th events and survey results. (10 min)

Town Manager Hendrix turned the floor over to Vice Mayor Harris in order to brief Mayor and Council on the drone show.

Vice Mayor Harris advised that the site and additional events are coming along nicely. He recommends the Chamber provide alcohol. The food vendors would be handled through application process similar to a fair. He has obtained the permits from Coconino County and has sent those to staff.

Town Manager Hendrix advised that the Town has received requests from other organizations to have booths not related to food.

Mayor Vail inquired about the Survey results.

Town Manager Hendrix stated that she will get the Council the results of survey. She summarized the results and advised the offerings spoken about at the last meeting were positively received.

Mayor Vail inquired about vendors that already have food handling permits and the need for any additional permitting.

Vice Mayor Harris advised that the vendor would need to apply for a temporary use permit and furnish the requisite licenses at that time.

Town Manager Hendrix requested that the proceeds from this section be set aside for a 501(c)3. She then referred Mayor and Members of Council to drone formation samples in their packet and advised that the story board is forthcoming from the vendor.

Mayor Vail spoke on the want to see different formations from last year.

Vice Mayor Harris advised that currently looking at a 30-minute show with lasers, modern music and drones for the finale.

Mayor Vail requested that the community send themes to Town Manager Hendrix, since none was chosen at the last meeting.

Vice Mayor Harris advised Mayor and Members of Council that the town has expressed to the vendor the desire for more dynamic show and believes this sentiment was well received.

Town Manager Hendrix advised that the drone show contract was only received recently, and the town attorney and staff would like to make some administrative changes to it.

Mayor and Members of Council were amicable to this.

Town Manager Hendrix turned over the floor to Councilmember Brush to speak on the laser light show.

Councilmember Brush briefed Mayor and Members of Council on his discussions with vendors. All vendors had very similar offerings for outdoor displays. One of the vendors was willing to work and integrate with the drone show. He spoke in favor of "Laser Smiths" due to the offerings and willingness to work with the drone show vendor. Another positive for this vendor is that they offer a non-profit pricing.

Town Manager Hendrix advised that the laser show vendor has the licenses for the music and will be bringing 2 screens. The drone show vendor has also brought on additional partners to meet town requests. She also recommends Laser Smiths as the preferred vendor. The Town expects to receive the contract soon. She would like approval to secure them and potentially pay the deposit to secure their services.

John Vail updated Council on coordinating live music with laser show.

Town Manager Hendrix advised that music will be supplied by the laser show vendor and that live music will occur before and after the show.

Bess Foster inquired on the drone show commitment by the Council.

Mayor Vail advised that the deposit is to secure their services.

Motion to approve 4th of July drone show contract with Hireuavpro and laser light show contract with Laser Smith with staff and legal counsel to make any changes they deem necessary in both contracts. First by Mayor Vail and seconded by Councilmember Brush. Motion carries, 5-0 in favor.

Direction to staff to discuss more patriotic images new images, native American images, keeping the flag images (state and country), and new images associated with this year's theme for drone show formations. Secure vendors by paying necessary deposits. Work on securing tents and booths for fair festivities.

G. *Consideration, discussion and possible action regarding Continuation of Community Garden and Community Clean Up Day. (10 min)*

Mayor Vail advised that this matter will be discussed in executive session and will be addressed at the end of the meeting.

H. *Consideration, discussion and possible action regarding concrete for Townhall generator. (10 min)*

Town Manager Hendrix advised that this item came in late due to the procurement process and the winning bid is located in the packet.

Councilmember Baldosky stepped away for this matter.

Councilmember Wirth inquired about the permanence of the concrete slab and what that means for the future should Town Hall be relocated.

Town Manager Hendrix advised that in order to have the engineers sign off on the generator and have it permitted, this is required. She additionally advised that should Town Hall be relocated, the generator can be moved as well.

John Thurston inquired about the new generator.

Mayor Vail advised that the generator is diesel powered and could potentially be used to create a safe space with power for townspeople in need, in the event of a power outage.

Vice Mayor Harris advised that the airport has a generator, but it is not reliable.

John Vail advised that the sanitary district has a generator with diesel back-up and TFD is also looking at adding a generator for similar purposes.

Motion to approve the concrete for town hall generator proposal as presented. First by Mayor Vail and seconded by Vice Mayor Harris. Motion carries, 4-0 in favor with Councilmember Baldosky abstaining from the vote.

I. *Consideration, discussion and possible action regarding Tusayan Community Trails Master Plan NEPA Study and contractor agreements with Trails Inspire and Westland Resources. (5 min)*

Town Manager Hendrix advised that there is no need for action. Staff has been in discussions with Westland resources and should have the contract completed soon.

J. Consideration, discussion and possible action regarding possible mid-year budget adjustments. (10 min)

Town Manager Hendrix addressed Mayor and Members of Council that the budget in their packets is a preview and the expectation is that Johanna will be at the next meeting to answer any questions you may have. The chart of accounts has been cleaned up for clarity's sake. She requested Council reach out to her in the event there are any questions.

No public comment at this time.

K. Consideration, discussion and possible action regarding Town Investments. (5 min)

Town Manager Hendrix advised Mayor and Members of Council that staff would like authorization from Mayor and Finance designee start moving the investments to the Alliance Bank account.

Councilmember Wirth requested that staff bring back information on process and what needs to be done.

Town Manager addressed the States losses with LGIP are on the budget adjustments furnished by Johanna. Currently the Town has lost approximately \$22,067.00 with LGIP and \$28,368.00 is total combine loss. Johanna is projecting a total loss for the year of \$37,834.00.

Mayor Vail recommended pulling the Town's money from the State's investment accounts.

Councilmember Wirth expressed concerns about the State's investments being too volatile and would like some stability.

Town Manager spoke on the need for authorization to move money into the new bank account. She noted that Mayor and Finance designee already have authority to move money into investment accounts. She advised Mayor and Council that in order to pull the town's money from the LGIP account, a resolution is required.

Bess Foster inquired about the documents being discussed.

Town Manager Hendrix advised that LGIP statements will be made available upon request.

Motion to add Alliance bank account as an authorized investment account. First by Vice Mayor Harris and seconded by Councilmember Brush. Motion carries, 5-0 in favor.

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.

9. REPORTS

A. **Town Manager**

Town Manager Hendrix advised Mayor and Members of Council to review the report this month. The Town engineer has completed the application for the forest basin project. Town staff has also met with the grant writer to assist with funding to this project. The Town now is accepting public comment on the upcoming special election until May 4th. Comments both for and against. Legal staff has been working with Willdan on the planning and zoning ordinances. Staff is requesting that Council review and meet with planning and zoning committee to potentially pass the ordinances. The website is being continually updated and is being expanded. Lastly, we are encouraging townspeople to comply with the town's codes; we do not want to have to bring the prosecutor into these matters.

John Thurston inquired about the public comments for the special election.

Town Manager Hendrix requested people contact her with questions and submit comments via electronic mail to the Clerk.

Bess Foster inquired about fees associated with public comment on special election.

Town Manager Hendrix advised that there is generally a fee associated with comment process, however, the legal department is looking into this matter. Comments are being accepted now as to not miss the deadline.

1. **Town Manager Report**
 - A. *Performance Plan 2022 Pre-Update*
 - B. *Grant Applications*
 1. **Town Financial report**
 2. **2022 Meeting Schedule**
 - A. *Discussion of Updated Planning and Zoning Ordinances*
 1. *Workshop Meeting for May or June*
 3. **Annual Town Calendar**
 4. **Annual Budget Calendar**
 5. **Strategic Planning Updates**
2. **Organization reports**

B. **Council Members**

C. **Mayor**

Mayor Vail reminded people that the ARPA applications due by April 15th; please help get the word out. She announced that a draft of a community resource guide for the Town is forthcoming. Please comment on this draft when it comes out. A letter sent out regarding redistricting has also been included in the packet. She is happy to report that Tusayan will not be separated from the Grand Canyon in the new redistricting maps. There is also a text number for updates from the town. To sign up simply text "Tusayan" to 844.928.4798.

D. **Tusayan Fire District**

Vaccine drive on Monday April 25 at TFD from 1-3pm; 2nd boosters will be available for those eligible.

1. *Financial*
2. *Equipment*
3. *Other*

E. *Tusayan Sanitary District*

Bob Pedzoldt requested clarification on the road resurfacing project.

Mayor Vail read the motion from the minutes regarding the resurfacing and advised Bob to get with Town Manager Hendrix to discuss this matter.

Councilmember Baldosky spoke on the ever-increasing prices of materials.

F. *Tusayan Justice Court*

10. *FUTURE AGENDA ITEMS*

Mayor Vail appreciated that Grand Canyon national park spoke in support of remaining with the Town regarding the redistricting.

Town Manager Hendrix requested that the Planning and Zoning ordinances be added to May or June workshop meeting.

Motion to enter executive session. First by Mayor Vail and seconded by Councilmember Wirth. Motion carries, 5-0 in favor.

G. *Consideration, discussion and possible action regarding Continuation of Community Garden and Community Clean Up Day. (10 min)*

Mayor Vail opened the item up for public comment.

John Thurston inquired about what is happening and expressed displeasure with Council entering executive session.

Mayor Vail advised that the community garden will not be expanding and will remain the same as last year. A flyer for this event is forthcoming. Advised that this matter is in arbitration with the school and Council needed to seek legal advice.

Bess Foster expressed her displeasure with the way this is being handled.

Vice Mayor Harris advised the public that the school made a motion to enter into arbitration, and the Town is waiting for the school to proceed in order to protect itself.

Vice Mayor Harris expressed concern about the community garden becoming a town staff garden and not a community garden as originally intended.

Councilmember Baldosky voiced concern about staff taking care of the garden.

Motion to spend \$1,000.00 on community gardens for this event. First by Mayor Vail and seconded by Councilmember Brush. Motion carries, 5-0 in favor.

11. MOTION TO ADJOURN

Motion to adjourn. First by Councilmember Baldosky and seconded by Councilmember Brush. Motion carries, 5-0 in favor.

Clarinda Vail 5-11-22
Clarinda Vail, Mayor Date

ATTEST:
J. Keel
Town Clerk

CERTIFICATION

STATE OF ARIZONA

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COCONINO COUNTY

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I, Logan Keel, 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 held on April 13, 2022. I further certify that the meeting was duly called and held, and that a quorum was present.

J. Keel 12 May 2022
Town Clerk Date