



MINUTES¹

TUSAYAN TOWN COUNCIL REGULAR MEETING

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

Wednesday, July 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, July 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 MINUTES²

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

Mayor called the meeting to order at 3:02 pm and led the Council and public in the pledge of allegiance.

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

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.

² Minutes are organized by agenda item in the order in which they were discussed.

MAYOR CLARINDA VAIL – Present
VICE MAYOR BRADY HARRIS - Present

COUNCILMEMBER BECKY WIRTH - Absent
COUNCILMEMBER ROBB BALDOKSY – Absent
COUNCILMEMBER GREG BRUSH - Present

2. **ADOPT THE AGENDA**

Town Manager Hendrix advised that there was an error on the agenda wherein the Clerk placed the Planning and Zoning commission meeting minutes, and the Variance Hearing minutes on the consent agenda. Council does not approve these items and as such have been removed.

Motion to adopt the agenda as presented. First by Mayor Vail and seconded by Vice Mayor Harris. Motion carries 3-0, in favor. Councilmembers Wirth and Baldosky were not present.

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.

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

- A. *Presentation of Bi-Monthly Law Enforcement Report, Lieutenant Jason Lurkins, Coconino County Sheriff's Office. (5 min)*

Town Manager Hendrix advised that Lieutenant Jason Lurkins was supposed to be present today and may be in attendance later. The Sheriff's report is attached to the agenda.

Councilmember Brush thanked the Sheriff's department for their work on mitigating campfires in accordance with the burn ban.

- B. *Presentation by American Red Cross regarding Ready Kit Training, Jermaine Barkley. (10 min)*

Town Manager Hendrix advised that this item was kept on the agenda in the event Mr. Barkley could attend. This item will be delayed until he is available.

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 Special Limit Pre-authorization.*
 C. *Minutes of Council Meeting held on June 8, 2022, Town Council Special Meeting held on June 22, 2022, Planning and Zoning Meeting held on June 22, 2022, and Public Hearing on Variance Application held on June 27, 2022.*

- D. *Approval of Contract Extension(s) for Intergovernmental Agreement (IGA) with Flagstaff City Library.*

Motion to approve consent agenda without the Planning and Zoning meeting minutes held on June 22, 2022 and the Public Hearing on Variance Application minutes held on June 27, 2022 in item 6C and approving the rest. First by Mayor Vail and seconded by Vice Mayor Harris. Motion carries, 3-0 in favor. Councilmembers Wirth and Baldosky were not present.

7. **ACTION ITEMS - STAFF REPORTS**

- A. *Public hearing regarding Fiscal Year 2022-2023 final budget. (30 min)*

Town Manager Hendrix advised that the public hearing has been properly noticed to be held today. There have been no changes since the budget was presented at the prior Council meeting.

Public hearing on this item was closed without any comment.

- B. *Consideration, discussion and possible action regarding the adoption of the FY 2022-2023 final budget and resolution 2022-13. (10 min)*

Mayor Vail thanked staff for their efforts on the budget this year.

Motion to approve Resolution 2022-13 adoption of the FY 2023 final budget. First by Vice Mayor Harris and seconded by Councilmember Brush. Motion carries 3-0, in favor. Councilmembers Wirth and Baldosky were not present.

- C. *Consideration, discussion and possible action regarding review of July 4th events and potential upcoming future events. (10 min)*

Town Manager Hendrix briefed Council on the success of this year's July 4th events and referred them to photos in the paper. She additionally advised Council that professional photos will be forthcoming. Due to other communities' July 4th events being canceled this year and high demand for their services, our vendors are requesting that we secure their services if the Town is interested in working with them again next year. They are requesting we secure their services with early deposits.

Councilmember Brush spoke on the pleasure of working with the drone and laser show vendors.

Vice Mayor Harris spoke on the high level of professionalism that the vendors executed and the high quality of the show.

Mayor Vail sought clarification on which vendors specifically are requesting the early deposit.

Town Manager Hendrix advised that the drone show, in particular, has had several solicitations for their services next year. They have requested a deposit to secure their services for next year. She spoke on the potential for a 25% deposit with a money back guarantee if terms cannot be agreed upon. Additionally, the drone show vendor is in talks with the laser show vendor

about potentially bundling their services, however, they want to know if Town anticipates contracting with the laser show vendor separately.

Vice Mayor Harris spoke on his biggest concern being the cost and the want for more cohesion between the two portions of the show.

Mayor Vail spoke on her love for the Drone show portion and is still wanting to see if the drone show could be longer with two separate launches. She additionally spoke in favor of the Town attempting to secure the drone show vendor and requested feedback from Town Manager Hendrix on the best way to proceed with the laser show vendor.

Town Manager Hendrix advised that since a preexisting relationship exists with the laser show vendor, it would be advisable to maintain that relationship and work with both vendors separately with the goal of better integration. If, down the road it benefits the Town, then we can work toward a single contract with both vendors.

Direction to staff from Council is to move forward with up to a 25% deposit with terms.

Town Manager Hendrix thanked the community, Council and staff for working together in order to execute the July 4th event this year.

Bob Pedzoldt spoke on all the positive feedback he heard about July 4th event.

Pete Shearer spoke on the success of July 4th event.

John Thurston spoke on the laser show being lackluster.

John Vail thanked everyone and spoke on the success of the event.

Discussion transpired among Council and Town Manager regarding the number in attendance as this was a question posed by the paper.

Town Manager Hendrix requested guidance from Council on potential fall and winter events. She had people reach out regarding crafts for the July 4th event, but this event lacked capacity for this and spoke on potentially having an event in the fall for something of this nature.

Mayor Vail spoke in favor of the potential for a crafts event in the fall and as for winter events the potential for a party.

Vice Mayor Harris spoke on the potential for a lighting ceremony and a winter/Christmas village and having some sort of a Town get together along with a town tree no bigger than 65 feet tall.

Town Manager Hendrix caution that ADOT will likely not be amicable to using the roundabout for the Town tree as it may distract or obstruct view of drivers.

Direction to staff from Council to research fall ideas and logistics of winter event ideas discussed.

D. Consideration, discussion and possible action regarding approval of contract and scope of work for rain gauge installation project for JE Fuller, Cory Helton. (10 min)

Town Manager Hendrix advised that feedback from the Forest Service is still pending and has been for several months due to their staffing issues and will likely take even longer than anticipated. Interim Town Engineer, Jack Moody, and Town Manager Hendrix have come up with an alternative plan for the rain gauges that will allow for additional flexibility. Town Manager Hendrix turned the floor over to Mr. Moody, to brief Mayor and Members of Council on the alternative plan.

Mr. Moody reiterated the lack of response from Forest Service in order to place rain gauges on Forest Service property. After some research, he found Cory Helton with JE Fuller who sets up monitor alert gauging systems. He provided the Town with a proposal. This proposal has a slower start than is typical. First, the gauges would be installed strategically and in places that do not require Forest Service approval. Initially, these would monitor smaller tributaries to Coconino wash. After a season, the data would be reviewed for any storms that created a flow event on that specific watershed. We would also utilize radar storm data that estimates precipitation data and compare to actual data collected to calibrate the storm. This, would then, be modeled with the parameters actually observed. For this strategy to work, we will need a usable storm. This would be a slower start than the previous proposal but includes the modeling where the previous proposal did not.

Town Manager Hendrix requests from Council the following, one, approve the scope of work as presented; two, authorization to staff to finalize the contract with the engineer; and three, to order the equipment in the proposal.

Mayor Vail requested clarification on flow monitoring.

Mr. Moody advised that flow gauges are placed within the wash itself and measures the depth of flow which produces a number that can be converted to a flow rate - cubic feet per second. The proposal is for the tributaries to Coconino wash because the smaller watershed gives us a better chance of having a storm that covers a significant portion of that watershed. The tributary being proposed is north of the wash and is being proposed because there is an existing rain gauge at Grand Canyon national park and would assist in the calibrating of the radar data.

Town Manager Hendrix advised that the airport and ADOT are the only two entities that the Town will require approval from to place the rain gauges.

Vice Mayor Harris spoke on the concern of cost in the proposal.

Mr. Moody spoke on the proposal being a time and materials proposal and the estimates are approximately \$80,000.00 a year for the first three years with a not to exceed \$240,000.00. The install is not subcontracted and is done by the project manager, Cory Helton. He reiterated that this proposal differs from the Woodson proposal in that this proposed less gauges and adds the monitoring and modeling which is necessary to move forward.

Mayor Vail inquired about two gauges being enough to model.

Mr. Moody advised that the model would provide the information for the specific sites but will allow for extrapolation to other areas.

Vice Mayor Harris inquired whether this proposal is advantageous to the Town.

Mr. Moody advised that this proposal is advantageous because it provides a starting point and will provide information for going forward.

John Thurston inquired about the acceptance of anecdotal data.

Mr. Moody advised that the anecdotal data is not accepted by Coconino County flood control district. The anecdotal data we have is strong, but as a hydrologist we tend to look skeptically at it. The data gathered by this proposal will bolster the anecdotal data that is being spoken about.

Bob Pedzoldt spoke on the control district accepting the results of the studies.

Mr. Moody advised that over the years of discussions, they have alluded to the lack of gauge data in response to the Town's claims. This specific proposal, however, has not been discussed with the flood control district. Cory Helton with JE Fuller came highly recommended by many other counties. Additionally, JE Fuller was the consultant used by the county in the modeling that Coconino County accepts for the 100-year event.

Mayor Vail spoke on modeling being proposed and echoed the concern of the results being accepted by Coconino County Flood Control District.

Mr. Moody and Town Manager Hendrix spoke favorably on this request and feel it would be beneficial to the Town to seek guidance from the County along with a letter of no objections.

John Thurston spoke on the county being in line with FEMA.

Bob Pedzoldt inquired about the sanitary district channel being a proposed site.

Mr. Moody advised that the results could not be modeled well.

Mayor Vail spoke on other entities desire to place rain gauges on their property in order to assist in the data gathering.

John Thurston inquired about flood mitigation planning.

Mr. Moody advised that there is flood monitoring and flood protection plans ongoing. These range from 100-year event and alert systems that are synchronized to send out alerts in the event of a significant event. These could take different forms such as alerting to evacuation, etc.

Pete Shearer spoke on the sizes of the tributaries versus the Coconino wash along with areas with large amounts of water flow.

Mr. Moody sought clarification on the locations Mr. Shearer spoke on - wash near the Red Feather well and west of the south rim mobile home park right along the highway.

Vice Mayor Harris spoke on his feeling that two sets of rain gauges are insufficient.

Town Manager Hendrix advised that this proposal is based on what the Town has permission for. Additional sites can be added contingent upon additional approval.

Motion to authorize finalization of the contract, approval of the scope of work, and seek letter of no objection from the County. First by Mayor Vail and seconded by Councilmember Brush. Motion carries 3-0, in favor. Councilmembers Wirth and Baldosky were not present.

E. Consideration, discussion and possible action regarding approval of purchase and order of Rain Gauge equipment. (5 min)

Town Manager Hendrix advised that staff is seeking approval to order the equipment for the first two gauges as they will take approximately 3 months to arrive, and the site approval is sufficiently close enough based on that timeline.

Motion to approve of purchase order for the rain gauge equipment. First by Mayor Vail and seconded by Vice Mayor Harris. Motion carries 3-0, in favor. Councilmember Wirth and Baldosky were not present.

F. Consideration, discussion and possible action regarding approval of Geo tech and civil plan services for street pavement project, Jack Moody, Town Interim Engineer. (10 min)

Town Manager Hendrix advised Mayor and Members of Council that the Town is in talks with the Sanitary District regarding street paving project. Interim Town Engineer, Jack Moody, has prepared a memo regarding this matter and is here to speak to his memo.

Mr. Moody assisted Town Manager Hendrix with request for bids for the resurfacing project. He recommended the hiring of a Geo tech consultant to analyze the current condition and use this info to decide where we want the surface to be. We need to identify the level and lifespan of the current surface. Different methods will provide different life expectancies. The cost of the geo technical analysis for the entire long Jim loop would range from \$8,000.00-\$16,000.00. He then proposed the hiring of a civil engineer to develop a plan based on this data that would go into the bid documents in order to instruct the contractor as to what work needs to be performed. The entire (1.1 mile) section would range from \$30,000.00-\$36,000.00. He proposes that we take this project in sections. The reasoning behind work upfront is that the bids will be less likely to be contested.

Mayor Vail advised that the Town has only approved a portion of Long Jim Loop to be addressed with HURF funds. With regard to the longevity of the fixes, this is a question for the representatives of the sanitary district.

Bob Pedzoldt advised that the district is looking for longer term fixes, as the district has chip sealed it in the past. He expressed concern about the Geo Technical analysis and the potential of the snowballing of the costs of this project.

Mayor Vail inquired about the additional costs.

Town Manager Hendrix advised that bid documents needed a description of the work to be done and the description, in the opinion of Mr. Moody, must include the analysis and civil

engineering portion. In order to seek grants for this project, we must have the project ready to go in its entirety.

Bob Pedzoldt is agreeable to any preparation work that the Town is requesting.

Mayor Vail advised that the approval is not for RP drive and only for a section of Long Jim loop.

Vice Mayor Harris advised that this project would need to be in a green light position for grant funding because the region is looking for Town's similar to ours for these types of projects.

Town Manager Hendrix advised that the previous motion was to review the available HURF funds. She believes that there may have been some disagreement as what that motion meant.

Vice Mayor Harris would like to potentially parse out the two recommendations as he feels that the design portion is within the motion previously passed and the Geo technical analysis does not necessarily fit.

Town Manager Hendrix advised that the HURF funds are being reviewed for use and should be spent in bid for the repaving project. She advised that these two elements, in Mr. Moody's opinion, are necessary for the bid documents to be completed. The analysis must occur on RP Drive and compare to Long Jim Loop to see what damage was done to Long Jim Loop.

Bob Pedzoldt spoke on the core holes on Long Jim Loop made by the fiberoptic installers.

Pete Shearer spoke on the bids TSD received and testing was not requested and as such does not believe it is necessary.

Mr. Moody spoke to Mr. Shearer's comment and advised that from an engineering standpoint it is advisable to know the extent of the damage along with the civil engineering plan so that contractors are bidding on the same project. He advised that the bid package should not give an advantage to one contract over another to reduce the potential for the bid to be contested.

Town Manager Hendrix advised that we would need to secure approval in order to perform the Geo Technical Analysis and want to make the testing as frictionless as possible.

Vice Mayor Harris inquired about the sidewalk being part of the design plans at this stage.

Mr. Moody advised that depending on what the Town is wanting, there would be additional engineering costs based on the Town's requests.

Vice Mayor Harris suggested two separate motions; one, approve Geo Technical Analysis in its entirety as proposed in the memo; and two, the design plans for the repaving project previously approved.

Mayor Vail spoke on not expanding what was previously approved.

Town Manager Hendrix advised that the grant identified by our grant writers is closed for this year and will be available for us to apply next year.

Vice Mayor Harris spoke on the transportation advisory committee he sits on and how they advocate and recommend projects to the legislature years in advance.

Town Manager Hendrix advised that having design plans in hand will only help for funding applications in the future.

Bob Pedzoldt thanked the Council for their efforts.

Mayor Vail expressed concerns about where the funds for this project will come from.

Town Manager Hendrix cautioned that some additional commitments have been made from the HURF funds and potentially approve this for the funds not to coming from the HURF budget and funds come through the engineering budget.

Bob Pedzoldt spoke in favor of Jack Moody's recommendations.

Motion to approve of Geo Tech and Civil plan services for the street pavement project as presented with funds to not come out of HURF funds and for any sampling or work to be done the Town seek input with no objection from the Sanitary District on any of the project. First by Mayor Vail and seconded by Councilmember Brush. Motion carries 3-0, in favor. Councilmembers Wirth and Baldosky were not present.

G. Consideration, discussion and possible action regarding approval of Parkside Tech Services Agreement for IT Services. (10 min)

Town Manager Hendrix advised Mayor and Members of Council that staff has been seeking a new IT administrator for the past couple of months and referred them to her report. Staff is recommending we utilize Parkside tech's services for pricing and offerings reasons. There will be no change in the services provided but the expectation of better security and backups will be the main changes.

Motion to approve Parkside Tech Services Agreement for IT Services. First by Vice Mayor Harris and seconded by Councilmember Brush. Motion carries 3-0, in favor. Councilmembers Wirth and Baldosky were not present.

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.4 Discussion regarding approval of contract and scope of work for rain gauge installation project for JE Fuller, Cory Helton. (10 min)

No executive session was held.

9. REPORTS

A. **Town Manager**

1. **Town Manager Report**

Town Manager Hendrix referred Mayor and Members of Council to her written report that is attached. There was an omission of a credit card statement from the ACH list, but staff will assume that Council will want that paid. The generator should be arriving on the 19th of this month. Additionally, the Town's summer youth program started on July 5th and have had between 17-20 kids every day.

She commended the staff and stakeholders for the work they have done to make this happen.

1. **Organization reports**

1. *Finance*

2. *Parks and Recreation*

3. *Engineering*

2. **2022 Meeting Schedule**

1. *Annual Town Calendar*

August and September work sessions will be devoted to zoning ordinances.

2. *Annual Budget Calendar*

3. *Strategic Planning Updates*

B. **Council Members**

C. **Mayor**

Mayor Vail spoke on the success of the summer youth program. There are several bills that the park service is in support of – PACTS act HR6442 and the LODGE act HR 7615. The park is requesting letters of support from the Town. Senate Bill 1740 passed as well. She received correspondence from US dept of interior regarding Babbitt ranches proposal on cedar mountain requesting comment. Lastly, she thanked everyone for their efforts on July 4th events.

D. **Tusayan Fire District**

Report is attached.

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

E. **Tusayan Sanitary District**

Bob Pedzolt thanked the Council for all of their support.

F. **Tusayan Justice Court**

10. **FUTURE AGENDA ITEMS**

11. **MOTION TO ADJOURN**

Motion to adjourn. First by Vice Mayor Harris and seconded by Councilmember Brush. Motion carries 3-0, in favor. Councilmembers Wirth and Baldosky were not present.

