



MINUTES¹

TUSAYAN TOWN COUNCIL REGULAR MEETING

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

Wednesday, November 9, 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, November 9, 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 Vail called the meeting to order at 3:00 P.M. 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 - Present
COUNCILMEMBER ROBB BALDOKSY - Present
COUNCILMEMBER GREG BRUSH - Present

2. ADOPT THE AGENDA

Motion to adopt the agenda as presented. First by Mayor Vail and seconded by Vice Mayor Harris. 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.

5. CEREMONIAL AND/OR INFORMATIONAL MATTERS

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

Lieutenant Jason Lurkins referred Mayor and Council to the Sheriff's office report attached to the agenda. He additionally advised that he will remain available for the LPR program in the event there are any questions for the Sheriff's office.

Mayor Vail thanked the department for their participation in Town events.

- B. *Presentation of Crisis Response System, Amy Devins, Arizona Complete Health. (10 min)*

Town Manager Hendrix introduced and turned the floor over to Ms. Amy Devins.

Ms. Devins referred Mayor, Members of Council and the public to the presentation attached to the agenda. She advised that Arizona Complete Health handles the vast majority of behavioral health services for the State, so they are well equipped to handle various crises. Goals of their organization are to keep people out of emergency rooms and jails with their services. She spoke on the upcoming training in Tucson and invited anyone interested and able to attend.

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 October 12, 2022*
- D. *Approval of back council stipends from 2019 for Councilmember Robb Baldosky.*
- E. *Approval of Resolution 2022-20 Appointing Members to participate in the Arizona Office of Tourism (AOT) Strategic Planning Cohort Program.*

Motion to approve consent agenda removing item C, D and E. First by Mayor Vail and seconded by Vice Mayor Harris. Motion carries 5-0, in favor.

Mayor Vail noted that the Minutes require two typo revisions.

Motion to approve meeting minutes with proposed changes. First by Mayor Vail and seconded by Councilmember Wirth. Motion carries 5-0, in favor.

Mayor Vail expressed concerns about item 6D and the amount. As such, she would like for Council to further discuss this item rather than be in the consent.

Town Manager Hendrix stated, "At this time we estimate that this will be about \$12,000.00."

Councilmember Baldosky recused himself from this matter.

Councilmember Wirth inquired about the legality of this.

Town Manager Hendrix stated, "Yes, Mayor Members of Council, I think it is highly unusual, but the Town does not have a policy that expressly forbids it. I don't want to speak for Aaron, but I know Aaron doesn't like to advise you [the Council] in an open setting. If you want specific legal advice, you would need to go into executive session to receive that. But at this time, I can tell you that there is no specific policy against it. It is just highly unusual. It will require a budget adjustment to be made."

Councilmembers Wirth and Brush would like to see what the Town Attorney has to say and inquired as to whether they can enter executive session on consent agenda items.

Town Manager Hendrix stated, "You can go into executive session on any item."

Motion to move item 6D to after executive session. First by Vice Mayor Harris and seconded by Councilmember Brush. Motion carries 4-0, in favor. Councilmember Baldosky recused himself.

As it pertains to item 6E Vice Mayor Harris and Councilmember Brush offered their names for the participation in AOT.

Mayor Vail opined in favor of the members being sitting Councilmembers.

Motion to approve resolution 2022-20 with Mayor Vail and Councilmember Brush as participants. First by Mayor Vail and seconded by Councilmember Wirth. Motion carries in favor, 3-2. Vice Mayor Harris and Councilmember Baldosky in the dissent.

7. ACTION ITEMS - STAFF REPORTS

- A. *Consideration, discussion and possible action regarding Flock Safety ALR Cameras. (5 min)*

Town Manager Hendrix stated, "Mayor Members of Council, last month, you instructed staff to do some additional research on this project. We have done some additional research throughout the month. There are some other items

that are still outstanding, but we wanted to give you a status report and see if you wanted us to continue. One of the things we did, we were asked to speak to other users of this product. We spoke to two different jurisdictions. They both spoke quite highly of the product. We asked specifically what kind of concerns they had – if they had any privacy concerns. They said people come forward during the preview process, but I asked, if you had any problems during the implementation phase and they said there have been zero privacy concerns during the implementation phase. I asked them, ok, how have you made sure that you haven't had any privacy concerns and they said its due to the strict nature of what is in our MOU, our contract with FLOCK, it's very strict, and then the other thing they said Is their implementation polices. So, you'll see that our ask of you is that you give us direction if you want to move forward with the program, we are asking you to direct us to move forward in securing the MOU and securing the contract with FLOCK and securing the policies – Aaron is still investigation the policies for us and making sure that those are kind of airtight on that end. One jurisdiction, which is about the same physical size as us, reported that in the last year and half, they have been able to recover between nine and ten stolen vehicles. Another jurisdiction told a story of how someone reported a missing person and within just a few hours they were able to locate that missing person. And all the jurisdictions spoke to it's a matter of hours before they are able to find hits rather than days or weeks or months. It was very good return information that we received. One of the things they said – I won't go into too much detail, but one of the reasons they spoke si highly of it is the information you get itself is not necessarily admissible in court it is just helpful in finding the people who have done the infraction, so the infarction has to occur ahead of time and then the camera can find the person or the vehicle. The camera itself does not record the infraction – it is not evidence of an infraction; it just helps you find the vehicle that is wanted for the infraction."

Councilmember Wirth inquired about park service entrance cameras and how they differ from the ones the Town is considering.

Town Manager Hendrix stated, "It is my understanding that what they just have are static cameras that record the cars coming and going."

Mayor Vail advised that this product was brought up at the multimodal meeting and the attendees expressed excitement about it. She additionally inquired about other communities' privacy policies.

Town Manager Hendrix stated, "I have requested them...they are a little quiet about sharing them. What they have told me, most of them lay with their law enforcement. I know Jason can probably speak to this. I know they are updating their policies, but since we are going to be the owners of the cameras, we have to make sure we have policies as well."

Mayor Vail expressed concerns about the usage of the information gathered from the cameras.

Town Manager Hendrix stated, "Frankly one of the jurisdictions I spoke to, Aaron's firm actually represents them. Hopefully, he'll be able to share some of their policies."

Direction to staff is to continue to pursue inquiry into this matter.

Vice Mayor Harris and Councilmember Baldosky expressed concerns about violating civil liberties.

Josh Collet inquired on how these products are used – specifically the benefit of having these cameras.

Town Manager Hendrix advised that the product has been used to locate vehicles and people.

Vice Mayor Harris expressed hope that future policies protect civil liberties.

Lieutenant Lurkins spoke on the departments devotion to protecting civil liberties with internal controls and policies at the Sheriff's Office. He advised that the cameras are not an enforcement mechanism only an investigative tool.

Councilmember Wirth inquired about what the cameras capture and who will be able to search the data base.

Lieutenant Lurkins advised that the cameras are to capture license plates and other "vehicle fingerprints" and the data base would only be queried if an investigative purpose existed.

Town Manager Hendrix advised that the manager would be able to see aggregate data, specifically the total cars captured, but no specific vehicle information data.

Lieutenant Lurkins advised that law enforcement will have access to FLOCK's data base via their webpage interface, and access is limited to partners with MOUs with FLOCK.

B. Consideration, discussion and possible action regarding review of Focus group meeting, Town of Tusayan Marketing Plan, and survey results. (5 min)

Town Manager Hendrix stated, "Mayor members of Council, if you look in your packets, you'll see last month we mentioned to you that we had a survey currently up regarding the branding motto or language to accompany the future logo for the 90-day marketing plan. If you look in your packets, you'll see the survey monkey returns and you'll see we have quite a good amount of participation in this survey, and you'll see how the three different options fared. Then Arizona exposure took those branding mottos, and they folded them into different branding marks. One of the questions I have had is this logo like the seal above your head there? No this is not to replace our municipal logo this is a separate branding mark that will just be used for visitation marketing. The idea is that it can pair with the municipal logo but does not replace our municipal logo. What Jamie is asking for now is some feedback from the council to get a sense of what you like and then we can send out another survey with the variety options with these logos. Then we can get feedback from the public with a couple of options... They [branding marks] are posted online, if you'd like to look at them...There are three different concepts."

Councilmember Wirth inquired about what is being asked of Council.

Town Manager Hendrix stated, "You are just supposed to direct staff to test one of these three concepts."

Councilmember Brush expressed liking for design 2.

Councilmember Wirth expressed her liking for design 1 only to include "visit", not "explore". She felt "visit" is more eye catching.

Mayor Vail would like to incorporate Grand Canyon because people are coming to the Grand Canyon. People may not be aware that Tusayan is by the Grand Canyon.

Town Manager Hendrix stated, "I think the Grand adventures is intended to highlight that, but if that is not standing out to you, then it may not stand out to others."

Councilmember Wirth Grand Canyon adventures and natural wonders.

Town Manager Hendrix stated, "Keep in mind as well that the marketing plan builds out from there as well. It won't just be the branding mark."

Mayor Vail wants to make sure it's clear that we are one mile from the Grand Canyon.

Vice Mayor Harris voiced his liking for designs 1 and 3 styles. He feels that survey results are incomplete as there were 10 comments and only 5 showing.

Town Manager Hendrix apologized that only 5 comments printed out.

Councilmember Wirth expressed agreeance with Mayor Vail regarding the "Grand adventures and natural wonders" language.

Vice Mayor expressed concern with the inclusion of "gateway" language because Williams has trademark the phrase already.

Councilmember Wirth expressed her liking for "Grand Adventures."

Town Manager confirmed the elimination of "gateway" language.

Mike Finney, sent in written comments that address a wider topic than specific questions regarding logo with catch phrase.

Town Manager Hendrix advised Mayor and Members of Council, his [Mr. Finney] written comments were incorporated into the survey information that you saw last month. I would encourage you to be cautious about taking - because of the way that this has been built we have taken all the public's information together. You want to probably be careful about taking some folks out of context of the rest of them - I don't know if that makes sense. We asked the public to come and participate all at once. If somebody is circumventing the focus group process, it gives them an unfair advantage to speak to the council as opposed to where everybody else was asked to participate... keep in mind

that the rest of the public was asked to participate at the focus group level and they did and they submitted your comments and they're patriating through the public surveys, just keep in mind that I can give somebody an unfair advantage in the process.

Mayor Vail requested he please keep public comments to this agenda items.

Mike Finney spoke in agreeance of Mayor Vail's comments regarding Tusayan being one mile from the south rim of the Grand Canyon.

Mayor Vail spoke expressed her liking for the proposals that were brought to Council.

Councilmember Wirth expressed concern about the South rim language, as it is unclear to the general population where specifically that is.

Mayor Vail, Councilmember Wirth and Vice Mayor Harris voiced their liking for logo 1b to be tested with the public to include the "visit" language.

Town Manager Hendrix advised that the logo is connected enough to the municipal logo that it is clearly the same community.

Mayor Vail did not like the color scheme of branding mark 2.

Councilmember Brush felt the branding mark 2 was more recognizable as the Grand Canyon.

Councilmember Wirth would like to see branding mark 1b vs 2a.

Town Manager Hendrix advised that she can request the traditional color scheme on branding mark 2a, if Council would like.

Council agreed to bring that scheme back for review.

Town Manager Hendrix confirmed the direction of the agenda item to be, test branding marks 1b and 2a with traditional color schemes to include "Grand Canyon" on survey monkey.

Vice Mayor Harris advised that it would be best to have a portfolio of branding available to the Town in the event marketing trends change.

Town Manager Hendrix advised that the AP list is posted, and physical copies are available to Council for review.

C. Consideration, discussion and possible action regarding review of Thanksgiving Meal Distribution, Holiday Light Event, Town events and potential upcoming future events. (10 min)

Town Manager Hendrix briefed Mayor and Council on the status of the projects and advised that so far everything is on track. She advised every one of the high demand this year and encouraged everyone to sign up online.

Vice Mayor Harris updated Mayor and Council on the arrival of all food items and the success despite continued supply chain issues. Moreover, he encouraged people to volunteer at this event.

Mayor Vail made clear that the Holiday light event is being advertised on the Polar Express, not advertising or promoting the train itself.

D. Consideration, discussion and possible action regarding American Rescue Plan Act - Recovery Funds (ARPA Funds) second tranche of funding usage. (10 min)

Town Manager Hendrix advised Mayor and Council that staff has been researching this item and has become much more involved than previously expected. A draft resolution has been included for Council review and speaks to the benefits of providing food, requires the school recognize the Town's contribution for the promotion of the program, and also outline that this is a one-time funding project and will not be in perpetuity.

Councilmember Wirth expressed concern about the inability to target the Town's people of Tusayan and in the alternative would favor the potential of an additional \$500.00 individual payment.

Mayor Vail advised that she shares these concerns but feels that helping the school would be a good use of these funds.

Town Manager Hendrix advised that she spoke to the town of Mesa about Mesa's Promise Scholarship and found that it operates from their general fund and relies on private fund raising. The ARPA rules state, that you can't use funds for workforce development. She advised that staff reviewed the rules for first responders, and it is possible.

Town Manager Hendrix spoke on the potential of private fund raising for future lunch program creating an endowment to keep the program funded in perpetuity.

Vice Mayor Harris spoke in favor of providing the entire tranche of funding of the program in hopes of this becoming a long-term initiative through private donations.

Motion to approve Resolution 2022-21 as presented to be for the remainder of this school year and any additional request to come back to Council in a new proposal. Motion carries 5-0, in favor.

E. Consideration, discussion and possible action regarding Town financial policies. (5 min)

Town Manager Hendrix advised that the Town attorney has furnished staff with a set of policies, but staff has yet to review them. This item will be brought back for additional consideration in December.

9. **REPORTS**

A. **Town Manager**

1. **Town Manager Report**

Town Manager Hendrix referred Mayor and Council to her written report regarding the grants the Town is currently applying for. The Geotech report has come back and will be brought back in December. Additionally, the Town has received feedback on the new fiber internet provider and that feedback has been provided to the public. The Town

is also in the process of moving more transactions to the new account with alliance bank. She lastly advised Council of the new integrated Town calendar and invited nonprofits to submit their events to be included and so that there is no overlap of events. She encouraged the use of the Town website.

1. **Organization reports**

1. *Finance*

2. *Parks and Recreation*

3. *Engineering*

2. **2022 Meeting Schedule**

1. *Annual Town Calendar*

2. *Annual Budget Calendar*

3. *Strategic Planning Updates*

B. Council Members

Vice Mayor Harris reminded everyone of the Turkey Distribution. (TPAC) Transportation Policy Advisory Committee of NACOG met and approved final list of regional transportation projects. The AZ smart fund is in the process of going live and they will have many grant opportunities with approximately \$50 million available.

Councilmember Brush spoke on the asteroid that entered the atmosphere and the great visibility due to the Town's dark sky initiative.

C. Mayor

Mayor Vail thanked TFD for their help with the Marathon. She additionally thanked Councilmember Baldosky and Vice Mayor Harris for their service and all the time devoted to serving the Town.

D. Tusayan Fire District

Chief Brush referred everyone to his report attached to the agenda.

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

E. Tusayan Sanitary District

Bob Petzoldt thanked the Council for forwarding the result of the Geotech survey.

F. Tusayan Justice Court

December 15, 2022 around noon, the Town will tentatively hold a public hearing for eligible projects for the use of CDBT funds.

10. FUTURE AGENDA ITEMS

Motion to enter executive session. First by Mayor Vail and Seconded by Councilmember Brush. Motion carries 5-0, in favor. Motion withdrawn to address consent agenda items.

Motion to remove item 6 A and 6 B to be discussed. First by Mayor Vail and seconded by Councilmember Brush.

Mayor Vail inquired about the battery company on ap list.

Town Manager Hendrix advised the batteries are for the generator and are pricey.

Motion to approve item 6A and 6B as presented. First by Mayor Vail 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, IF circumstances deem it necessary.


A. Pursuant to A.R.S. § 38-431.03 A.3, A.4 and A.7 Discussion regarding possible acquisition of the Hydro-Resources, Inc. Water System. (10 min)

Motion to approve stipend to Councilmember Robb Baldosky. First by Mayor Vail and seconded by Councilmember Wirth. Motion carries 5-0, in favor.

Mayor Vail advised the public that item 8A was not discussed in executive session.

11. MOTION TO ADJOURN

Motion to adjourn at 5:01 P.M. First by Councilmember Wirth and seconded by Councilmember Brush. Motion carries 5-0, in favor.

 1/10/23
Clarinda Vail, Mayor Date

ATTEST:


Logan Keel, Town Clerk

THIS PAGE BELONGS TO MEETING MINUTES HELD ON NOVEMBER 09, 2022

CERTIFICATION

STATE OF ARIZONA

§

COCONINO COUNTY

§

§

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 November 9, 2022. I further certify that the meeting was duly called and held, and that a quorum was present.

Logan Keel
Town Clerk

2/6/23
Date

