MINUTES[1]

TUSAYAN TOWN COUNCIL REGULAR MEETING

PURSUANT TO A.R.S. § 38-431.02 & § 38-431.03
Tuesday, May 9, 2023, at 5:00 p.m.
TUSAYAN TOWN HALL BUILDING
845 Mustang Drive, Tusayan, Arizona

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[2]

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

Mayor Vail called the meeting to order at 5:00 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.*

MAYOR CLARINDA VAIL – Present
VICE MAYOR GREG BRUSH – Present
COUNCILMEMBER BECKY WIRTH – Present
COUNCILMEMBER JOSH COLLET – Present
COUNCILMEMBER ANDREW ALDAZ – Present

3. ***ADOPT THE AGENDA***

Mayor Vail moved approval of the agenda as presented, and Vice Mayor Brush seconded the motion. Motion carried 5-0 in favor.

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

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[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.*

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.

No one spoke at Call to the Public.

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

A. ***Proclamation declaring May 14, 2023, Mother's Day in the Town of Tusayan.***

Mayor Vail announced that this Mother's Day Proclamation was done in conjunction with the Eighth Grade Class who passed it as a council during their Mock Council Session.

Councilmember Collett moved to adopt the Mother's Day 2023 Proclamation, and Councilmember Wirth seconded the motion. Motion carried 5-0 in favor.

B. ***Presentation of Wildlife Protection Plan, Arizona Public Service (APS) (5 mins.)***

Janet Dean, Public Affairs Manager for APS for the Northeast Division which includes Tusayan and the Grand Canyon, let the Council know that she and two other APS Representatives would present information about their wildfire mitigation protocols, processes and procedures. She introduced Joe Weathersby, our new Northeast Division Manager and Kevin Hartigan, Local Representative for Arizona Public Service.

Mr. Weathersby commented that he has been with APS for about 22 years, and north has been the bulk of that career with APS. He spoke of the APS fire mitigation process and how seriously they take the risk of wildfires. He noted they mitigate not only the potential start of one of their pieces of equipment should something occur, but they also have the ability to make sure their rights-of-way are as clear as they can be with all the stipulations that are in place. They also provide an anchor point for the Fire District and perform DSAP, Defensible Space Around Poles, removing all combustible material for a 10-foot clearance around all the equipment poles. He explained how they identify faults in operation, especially in fire mitigation season.

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 Regular Meeting held on April 11, 2023, and Council Special Meeting held on April 26, 2023.***
D. ***Approval of Resolution 2023-06 to appoint Commissioners to the Planning and Zoning Commission.***
E. ***Ratification of Countersigned Good Creations Contract for On-Call/As Needed Services Grant Writing and Reporting.***
F. ***Approval of Travel agreement/payment with NAU for Summer Youth Program.***

Mayor Vail explained that there was an addition, which was posted online, that just adds in the resolution the term dates for the Planning and Zoning Commission.

Mayor Vail moved approval of the Consent Agenda as presented with just one change to the minutes of April 11, 2023, just a name change changing the name Winuck to Wnuck that was with Coconino County. Councilmember Wirth seconded the motion. Motion carried 5-0 in favor.

7. *ACTION ITEMS - STAFF REPORTS*

Town Manager Hendrix referenced her Town Manager Action Staff Report throughout this portion of the meeting.

A. *Consideration, discussion, and possible action regarding presentation of Draft 2023-2024 Budget. (10 mins.)*

Town Manager Hendrix reviewed the Draft 2023-2024 Budget noting that they have tried to reflect all the discussed changes over the last several weeks and months. She directed attention to Page 1, the Capital Projects list with all the assumptions that we included in the budget. She noted there was one line item she wanted the Mayor and Council to look at, Transfers In – Other. She explained that in the 2023 column, which is the number that we are looking at right now above our Operating Revenue for the year. She noted it is a pretty big gap, but she wanted the Mayor and Council to keep a couple of things in mind with that. She noted the number does not include grants that we have pledged; it does not include the fact that we always build in large buffers in our budget; and it does not include investment portfolio. She explained that in a year when the economy is low, you want to have strong investment strategies so that you can build particularly with regard to drawing tourism to the area. Town Manager Hendrix commented that we have gone low on our projections for Sales Tax in the hopes that we are conservative on those numbers so that we will be building higher revenues for the years to come. She reminded everyone that the goal is to build future security for the Town and the community.

Town Manager Hendrix noted we have built in large inflationary numbers and hopefully we will not come anywhere near those numbers. She added that we have also built in large Capital Expenses beyond, hopefully, what we will realize.

Town Manager Hendrix noted that this year, we have established a Library Department, so we have moved some of the expenses into that department. She noted it could be found within the Parks and Recreation master department.

Town Manager Hendrix asked that it be kept in mind that in municipal budgeting, you always have to budget for your biggest case scenario because you cannot go over budget in any way. Lastly, she stated this is a big budget, and we always aim to come in under it.

Town Manager Hendrix announced that we will now start advertising for the budget public hearing; next month will be the Tentative Budget passage with the public hearing component.

B. *Consideration, discussion and possible action regarding Cinco de Mayo, July 4th Celebration, drone show, marketing, and other Town events. (10 mins.)*

Town Manager Hendrix gave a recap on the Cinco de Mayo Event. She reviewed how they clicked in attendees at the door at 375 and estimated there were at least an additional 25 attendees. By asking attendees a couple of questions about how they had heard about the event, it was learned that it was a very evenly divided group. Everybody, by and large, heard about the event from multiple sources. She noted the majority of attendees were local with some tourists there as well.

Town Manager Hendrix noted that regarding Fourth of July, she and Vice Mayor Brush met with the drone show people and got some storyboard ideas from them for this year's show. These ideas were displayed on the PowerPoint presentation. Town Manager Hendrix advised that at this point, the drone show folks are requesting feedback from the Council.

The Council agreed to leave out the Grand Canyon railway train.

The Council discussed replacing the train image with a stampede, a bald eagle, a condor, other wildlife, a night sky, a wagon ring around the campfire, a helicopter, cattle, and a cowboy. The Council settled on cattle, sheep, and a cowboy.

Town Manager Hendrix explained that most of the next few items are 'speak now or forever hold your peace items.' She listed security for the event – they just quoted us what they did last year; the linens – they quoted us what they did last year; and the revised banner design. She explained that the committee took a look at the banners, had some revisions, and so the revised design, without objection by the Mayor or Council, will be used to create the Town banners and posters. She added that the revised design will probably become a reoccurring design for years to come.

Town Manager Hendrix noted that the revised parade entry forms and table entry forms were in the agenda packet. Town Manager Hendrix pointed out that the table entry forms list the proposed $300 table reservation fee; she commented that she thought it actually went up to $450 last year. The Council agreed to leave the fee at $300.

Mayor Vail commented that she was asked if someone could have an out-of-state food truck at the event, and Town Manager Hendrix replied that the first question would be if they could get the County Food Handling Permits. Town Manager Hendrix stated that if they have the permits, and if we have space at the event, she will approve the out-of-state food truck, unless the Council has an objection.

Mayor Vail made clear for everyone that the theme for the Fourth of July is Tribute to the West. She noted this would be important for promotion, the floats and telling others.

C. ***Consideration, discussion, and possible action regarding Community Development Block Grant Project Budget Discussion. (5 mins.)***

Town Manager Hendrix advised that we received an inquiry from NACOG, who is helping us out with this grant application, requesting this information much sooner than she initially thought. She commented that they are asking for our budget information for the Community Garden, that is, all the main items from the Garden that we need to fund and estimates for what it would cost. She noted she brought this to the Council for guidance on how they would like us to come up with this budget, and NACOG needs it right away.

Town Manager Hendrix explained that the budget can be very broad at this point; the biggest thing is that they want to make sure that any additional expenses such as amenities, anything that was not previously included, be added now.

In response to a question concerning dirt, soil, and manure, Town Manager Hendrix stated that would be good to include.

Town Manager Hendrix commented that she would like the Council to either A) add anything that stands out to them, or B) authorize her to work with whomever the Council wants her to work with to finish it.

Mayor Vail commented that she would prefer that Town Manager Hendrix work with Councilmember Aldaz and Pete Shearer. Councilmember Aldaz and Pete Shearer agreed to help.

D. Consideration, discussion, and possible action regarding street pavement project recommendations. (5 mins.)

Town Manager Hendrix noted that the month before last, the Council gave staff the instruction to design the Long Jim Loop Paving Project. The Town Engineer has been working to get this design done expeditiously. Town Manager Hendrix noted the Town Engineer has completed the first portion of this project, up to the initial piece the Council approved to have paved, and this is back to the Council for their initial review.

Town Manager Hendrix commented that the question is whether the Council would like to have the Town Engineer continue and finish this or is this adequate. She asked the Council what they would like to have happen next.

In response to a question, Town Manager Hendrix noted the design was for the grant application. She added that the reason this was initially triggered, was because in order to do the RFP, they had to have the drawings to plug into the RFP that we were writing for the Sanitary District. She explained that the Town Attorney sent the RFP back to us and instructed that the Town Engineer would have to do the description, get the information for the bidders, get the geotechnical report, and do the drawings.

Town Manager Hendrix indicated that the design satisfies the requirements for the RFP and the grant application if this is all the Council wants to do of the project. She added that if the Council wants to go any further up on Long Jim Loop, then the Council will need to continue with the plans. She explained that the design only goes a tiny bit north of the school site, but basically, up to the school site.

Town Manager Hendrix explained that this was all the Town Engineer could get done in time for this meeting; she noted she wanted the Council to have a status update. She commented that we are still a couple of weeks out from hearing back on the last two grants.

Town Manager Hendrix recommended that we have the whole thing designed, then the Council can decide what they will actually do. She noted that it will not cost that much more to have the entire road designed, and we can use the design for grants this year and next year.

In response to a question concerning what the total cost (at just south of a million dollars) would cover, Town Manager Hendrix stated that officially, it is just the portion of road that the Council has ordered the Town Engineer to look at.

There was discussion of how far the Council ordered the Town Engineer to go on the design. Town Manager Hendrix commented that our aim has always been to use the quote to do the entire road.

Pete Shearer, of the audience, commented that we, the Sanitary District, are OK if the Council wants to design the whole thing up to Canyon Pines, but if they do, they should get permission from all the landowners. He noted that the school and the Forest Service own portions of the road. Mr. Shearer shared that Bob Petzoldt, of the Tusayan Sanitary District, just received an updated bid from one of the people that bid the first section from the roundabout to the school site, of $205,000, but that is only with six inches of ABC material. He commented that he thinks we want 10 to 13 inches, so that would bring the price up a little bit. He spoke about the condition of various portions of the road. He suggested including in the project, seal coating and restriping for a portion of the road that is still in good condition.

The Council agreed to get the whole design, see how much it will cost and what the Town will pay for.

Mayor Vail clarified that the whole design would include through Canyon Pines to the private end.

E. ***Consideration, discussion, and possible action regarding Forest Basin Project. (10 mins.)***

Town Manager Hendrix noted that this item is on the agenda primarily as a preview. She commented that the Town Engineer is doing some additional research on this, and we plan to come back with a formal recommendation next month. She advised that they had a meeting with the Forest Service, and the Sanitary District was in the meeting as well. She let everyone know that the minutes of the meeting were included in the agenda packet.

Town Manager Hendrix stated the bottom line is that the Forest Service has asked us to create new thirty percent plans. The Town Engineer is doing some research so he can come back to the Council with some formal recommendations. She shared her understanding that they are asking for some moderate updates to the plans. She noted we are concerned because they just asked for updated plans in 2020, and we do not want them to ask for new updated plans in 2026. She added that once the Town Engineer has done the research, we will meet with Bob and Pete, of the Sanitary District, and come forward with a united recommendation.

Pete Shearer spoke about the meeting with the Forest Service and noted that the Forest Service has all new players, so they are basically starting over with a new engineer. He provided information on specific issues to be resolved. Mr. Shearer suggested that the 35,000 or 40,000 yards of topsoil that has to be hauled away, that the Town will own, go to the school site for prep for all the fields for expansion.

F. ***Consideration, discussion, and possible action regarding Internet Wireless Agent Agreement(s) and Broadband Wireless Agreement(s). (10 mins.)***

Town Manager Hendrix announced that we have just recently learned there have been significant changes in staffing at Commnet. She will be meeting with new people next week, so we need to put this item on hold until next month.

G. ***Consideration, discussion, and possible action regarding Stilo Pre-Annexation Development Agreement (PADA), National Forest Special Use Authorization Permit Joing(t) Application Process, and Associated Expenses. (10 mins.)***

Mayor Vail commented that we will hear Item 7.G. after Executive Session. She noted they would go through our Town Reports, go into Executive Session at the end and come back for Item 7.G.

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 and A.7, Discussion or consultations regarding Internet Wireless Agent Agreement(s) and/or Broadband Wireless Agreement(s). (10 mins.)***

B. ***Pursuant to A.R.S. 38-431.03 A.4, discussion regarding Stilo Pre-Annexation Development Agreement (PADA), National Forest Special Use Authorization Permit Joint Application Process, and Associated Expenses.***

Mayor Vail announced they would reorder the Executive Session for Reports to go first.

9. ***REPORTS***

A. ***Town Manager***

1. ***Town Manager Report***

Town Manager Hendrix referenced her Town Staff Report and reviewed updated statistics from the Chamber including those for Google, the Visitor Guide and YouTube. She noted the County's emergency contact phone numbers list was in the packet. She commented that Judge Krombeen noted he cannot comment on Justice Court cases, but he wanted to point out that this month, there has been a sharp increase in filings. She thinks that it is most likely due to an increased presence of CCSO (Coconino County Sheriff's Office) in Town.

a. ***Notices***

b. ***Organization reports***

1. ***Finance***

2. ***Parks and Recreation***

3. ***Engineering***

c. ***2023 Meeting Schedule***

1. ***Annual Town Calendar***

2. ***Annual Budget Calendar***

3. ***Strategic Planning Updates***

B. Council Members

Councilmember Aldaz announced that we are going to start tutoring Friday, May the 12th, and it is also Clean-Up Day over at the Garden. He explained that the tutoring will be conducted on a trial basis to see what is needed, what works, what kind of interest there is, and the school will be involved to create a plan for the future. He noted our hope is that it will help to improve testing scores and the well-being of the students. He commented there will be pizza.

Town Manager Hendrix reported that we are finishing the background check on a candidate for Tutor.

Councilmember Wirth gave the Financial Report including an update on current balances in Chase and Alliance banks. She noted they are strong banks, and if anyone has any concerns or questions, they should feel free to contact Town Manager Hendrix. Councilmember Wirth commented that we still have some investments with TVI that we are going to be discussing, and probably before the end of the month, we will either move it out of TVI into one of the Alliance accounts, or we will leave it with TVI. She added that they will let everyone know what they have done at next month's meeting.

C. Mayor

Mayor Vail spoke about her first NACOG meeting which she attended last month. She noted that there were corrections to be made in the agenda packet, and she was asked to get with the people in charge of the agenda items to ask for those corrections. She gave the example that on a map where all the towns were listed, the Town of Tusayan was not listed.

Mayor Vail announced that Garden Day is this Friday, and she asked that a reminder of Tutoring/Garden Day be emailed to the community.

Mayor Vail commented that the Emergency Management Training that Coconino County put on was a good learning process.

Mayor Vail announced that there is a bill going through Congress for H-2Bs. She asked for any help we can get to increase the number of H-2Bs or have them be more reliable as a viable source for staff members here.

D. Tusayan Fire District

1. ***Financial***

2. ***Equipment***

3. ***Other***

Tusayan Fire District Chief Brush shared the District's deep thanks to the Town of Tusayan for the support and the purchase of the new fire engine. He reported that the expected completion date was originally going to be in June, then it was July 1st, and

now it will be pushed back to mid-August. He committed to sharing the pictures as soon as they start to build it.

Jan of the Park Service, on Zoom, commented about the Parkwide Clean-up around facilities in the Park on May 18th.

E. Tusayan Sanitary District

Pete Shearer commented that Town Manager Hendrix had asked Mike of Public Works and him to go up and look at these drawings that Loven Contracting had proposed. He noted that the site that we had shown in the joint meeting with the School Board is good. He also noted they have it drawn in where concrete would go through that big tree to the northeast. He explained that Mike was going to ask Town Manager Hendrix if they could bring it down to a 50 x 50 slab, and not a 50 x 60 slab to save that one tree. Mr. Shearer noted he will ask the Sanitary District for permission to volunteer to move ten loads of dirt to mix with horse manure for the Garden. He commented that the Town may not have to buy that $40,000 worth of material. Lastly, Mr. Shearer announced that the Sanitary District's new Vactor Truck should arrive around July 1st.

F. NACOG Regional Council

Mayor Vail noted that she spoke on this Item during the Mayor's Reports.

G. Tusayan Justice Court

Mayor Vail noted information on this Item was provided in the Agenda Packets.

10. FUTURE AGENDA ITEMS

No future agenda items were mentioned.

At 6:26 p.m., Councilmember Wirth moved that we enter into Executive Session, and Vice Mayor Brush seconded the motion. Motion carried 5-0 in favor.

At 7:08 p.m., Mayor Vail called the Open Meeting to order and announced that the Council would consider Item 7.G. She advised that direction to staff is to form a working group of two Councilmembers, herself, and Vice Mayor Brush to reevaluate the PADA and its amendments for a possible restated PADA. She added that they will be seeking outside counsel for that purpose only.

11. MOTION TO ADJOURN

At 7:10 p.m., Councilmember Collett moved to adjourn, and Vice Mayor Brush seconded the motion. Motion carried 5-0 in favor.

Clarinda Vail 6/27/23

Clarinda Vail, Mayor Date

ATTEST:

Tina M. Abriani

Tina M. Abriani, Town Clerk

CERTIFICATION

STATE OF ARIZONA §
§
COCONINO COUNTY §

I, TINA M. ABRIANI, 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 MAY 9, 2023. I further certify that the meeting was duly called and held, and that a quorum was present.

Tina M. Abriani 6/27/2023

Town Clerk Date