



## MINUTES<sup>1</sup>

### TUSAYAN TOWN COUNCIL REGULAR MEETING

PURSUANT TO A.R.S. § 38-431.02 & § 38-431.03

Wednesday, September 13, 2023, at 5:00 p.m.

TUSAYAN TOWN HALL BUILDING

845 Mustang Drive, Tusayan, Arizona

### TOWN COUNCIL REGULAR MEETING MINUTES<sup>2</sup>

#### 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

**COUNCILMEMBER JOSH COLLET** – Present

**VICE MAYOR GREG BRUSH** – Present

**COUNCILMEMBER ANDREW ALDAZ** – Present

**COUNCILMEMBER BECKY WIRTH** – Present

#### 3. ADOPT THE AGENDA

Mayor Vail moved that we adopt the Agenda as presented, and Councilmember Collet seconded the motion. Motion Carried. Aye: Mayor Vail, Vice Mayor Brush, Councilmember Wirth, Councilmember Collet, Councilmember Aldaz

#### 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.*

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<sup>1</sup> 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.

<sup>2</sup> Minutes are organized by agenda item in the order in which they were discussed.

Pete Shearer thanked the Town Council, Forest Service, Park Service, Fire District, and Sanitary District for all their disaster relief help. He commented that everybody came together incredibly.

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

- A. Presentation of Quarterly Law Enforcement Report, Lieutenant Brian Tozer, Coconino County Sheriff's Office (5 mins.)

Lieutenant Tozer reviewed statistical information for Tusayan contained within his report which was included in the Agenda Packet.

#### **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. Approval of minutes of Council Meetings held on August 8, 2023, August 22, 2023, and August 24, 2023  
D. Authorization for staff to purchase laptop computer to replace outmoded model

Councilmember Collet moved to adopt the Consent Agenda, and Vice Mayor Brush seconded the motion. Motion Carried. Aye: Mayor Vail, Vice Mayor Brush, Councilmember Wirth, Councilmember Collet, Councilmember Aldaz

#### **7. ACTION ITEMS - STAFF REPORTS**

- A. **Consideration, discussion, and possible action regarding Resolution 2023-13 American Rescue Plan Act Recovery Funds (ARPA Funds) payment to individual households (10 mins.)**

Town Manager Hendrix referenced the Emergency Meeting held earlier where staff was directed to research the possibility of doing another ARPA distribution. She commented that the research was done and is presented in the report for the Council's review. She summarized that with the resurgence of COVID in the local community, in addition to other hardships such as the recent flooding, the fact that the community has not fully recovered from the COVID-19 pandemic has been brought to the forefront.

Town Manager Hendrix stated the Town has a limited amount of COVID monies left; currently, there is \$84,253.48 that is available to disburse as a second distribution to community members. She explained that at this time, staff is presenting a proposal to do a second distribution within the same parameters as the first distribution. She noted we are recommending that \$4,253.48 be saved for processing, and she asked that the Council keep in mind that we still have not deducted the amount for the first processing. She further explained that is why \$80,000 is the recommended distribution amount.

Town Manager Hendrix read from the calendar proposed by staff which included September 13, 2023, today, through October 13, 2023, as the time frame for acceptance of applications at Town Hall. She noted the application is in the Agenda Packet, and there has been one minor change to reflect the need to provide a physical and mailing address. In addition, once receipt

of applications closes on October 13, 2023, we will have a period of time to do the administrative handling of the applications, and then on November 17, 2023, checks would be available for in-person pick-up at Town Hall. She commented that we propose distributing the \$80,000 equally among everyone who is in the pool and is qualified, based on the application guidelines as of October 13, 2023. She stated that all qualified applicants would be in the pool and the funds would be distributed equally among them up to \$550.

Town Manager Hendrix further explained that the individual disbursements have been capped at \$550 so that we will not have to distribute 1099 forms, and it preserves our tax liability as well as that of the applicants. It was noted that a 1099 becomes necessary when a recipient receives \$600 or more from a single entity. She commented that the earning cap for ARPA funds is \$79,500 per year for a combined household's income, and they must currently live or work in the Town of Tusayan. She further commented that they must have lived or worked in Tusayan for the last six months.

Town Manager Hendrix pointed out that the revised resolution is in the Agenda Packet, and we have highlighted the changes to the resolution which were made to bring it up to date. She added, we just received guidance from the League based on the federal government's revised guidelines for ARPA funds, and there is no change for local jurisdictions.

Councilmember Collet moved that we adopt Resolution No. 2023-13, and Councilmember Wirth seconded the motion. Motion Carried. Aye: Mayor Vail, Vice Mayor Brush, Councilmember Wirth, Councilmember Collet, Councilmember Aldaz

Town Manager Hendrix addressed the Mayor and Members of Council to note that the resolution had one blank in it for the 'sum not to exceed.' She confirmed her understanding that the Council wanted the disbursement not to exceed \$80,000.

***B. Consideration, discussion, and possible direction to disburse anonymously donated funds. (5 mins.)***

Town Manager Hendrix noted that at the Emergency Meeting, the Council directed staff to work with our private partners to try to put together a package of relief for displaced persons in the Town. She commented that two of our private partners have been willing to participate in this project; one is our local Rotary organization for which the Town will act as a pass through. The other donor wishes to remain anonymous; they will give the funds to the Town, and we will distribute them. She stated that \$200 would be given to the individuals who had applied to the County Community Assistance Program. She explained that when we received the names, we knew we needed guidance from the Council on who should and should not be qualified to receive the funds.

Town Manager Hendrix commented that with some help from the Mayor, we were able to get some applications from other communities and from other programs. She noted that she was able to sort through them and develop categories; the categories are fairly consistent, and they also happen to align with the findings of the Community Assistance Program.

Town Manager Hendrix noted we are recommending that the first category of people be those who have isolated general concerns such as debris removal or food loss, and for those folks, staff is recommending providing in-kind assistance. In-kind assistance would include pantry items, boxes, cleaning supplies, volunteer services, etcetera. The second category are people who had damaged personal property that did not rise to the level of monetary assistance through Community Assistance. For those folks, Town staff is recommending that the Council provide

monetary assistance. The third category had total property loss, and for those people, staff is also recommending that the Council provide monetary assistance.

In response to a question, Town Manager Hendrix noted there are about 20 households in total needing assistance, and for some, we may need more information.

Mayor Vail commented there may be closer to 25 households.

Town Manager Hendrix shared that we have worked very hard to keep these names anonymous. The Rotary will donate, but they will not see the names of the recipients. She noted there is a possibility that some of these folks, if they also apply for ARPA funds, will exceed the amount whereby they will have to get a 1099 form from us this year.

Mayor Vail suggested that we make people aware of the \$600 cap.

Town Manager Hendrix responded that we are also looking at making sure that we let them know of the possible issue when they take the first payment.

Mayor Vail asked that if they receive money from the first disbursement, could they request less from the ARPA disbursement to stay under the \$600 cap.

Town Manager Hendrix responded that it was a good idea, and she indicated she would research that possibility.

Mayor Vail moved that we move approval to disburse the anonymously donated funds as presented, and Vice Mayor Brush seconded the motion. Motion Carried. Aye: Mayor Vail, Vice Mayor Brush, Councilmember Wirth, Councilmember Collet, Councilmember Aldaz

**C. *Consideration, discussion, and possible action regarding Explore Tusayan Initiative and possible updates (10 mins.)***

Town Manager Hendrix advised that the Chamber has presented a revised version of the Visitor Guide Brochure, and they are requesting that the Town assist with the funding of the reprinting of this brochure. She commented that the Chamber had been invited to this meeting.

There was discussion of the Town's request for financial information from the Chamber, and the need for that information before we provide financial assistance.

Town Manager Hendrix clarified that the Chamber requested that the Town pay half the cost of the brochure.

The Council discussed the fact that the brochure does not only advertise for the Town and that the Town had not agreed to pay half. The Council noted the Town should only pay for its ad in order to be responsible with Town funds.

Town Manager Hendrix directed attention to her report where we had an update regarding the DMO, Designated Marketing Organization, status. She noted she has been working with AOT, Arizona Office of Tourism, to get some sample language to update our DMO resolution which will be brought to the Council next month, if the Council agrees.

In response to a question, Town Manager Hendrix noted the resolution will require the Chamber to come through the Town with all their DMO purchasing decisions. She explained that the reason why that is important is because right now, when the Town tries to buy off from the DMO contract with AOT, we are not allowed to do so because we do not have DMO status. She stated that having that language in our resolution gives us the ability to buy from the DMO contract and have the right of first refusal.

It was noted that currently, the Chamber is the Town's DMO.

Mayor Vail explained that is why we cannot participate in some things; this allows the Chamber to still keep that, but we get to be involved,

Town Manager Hendrix stated the point is to allow us purchasing power.

Town Manager Hendrix commented that we have been looking at marketing options for the Town, particularly in ways we can be more objective in our approaches to marketing. She displayed the presentation provided by Placer.ai Civic Solutions on the TV screens. She noted this is a marketing platform that will help us gather information across platforms about the Town and the demographics in the Town. The primary purpose is for marketing, but there are other byproducts. The platform would allow us to track how much traffic is coming through Town without having any issues invading privacy. She elaborated on what the platform can do for the Town's marketing efforts, including how it could benefit the Town's businesses.

In response to a question, Town Manager Hendrix suggested that the Town try it for at least a year. She noted we would run Town reports and each business would be entitled to view some of them at regular intervals per a policy yet to be created. She noted the cost would be approximately \$15,000 per year.

In response to another question, Town Manager Hendrix replied that the Placer contact person sent her information about how other communities use this, and it is being used more from a municipal perspective instead of a marketing perspective.

There was discussion of reports generated from the program and sharing them.

Councilmember Aldaz suggested sharing information with ADOT in efforts to widen Highway 64 on which there have been several deaths.

Town Manager Hendrix advised she will work on negotiating a contract that will be on the next agenda under the Consent Agenda.

***D. Consideration, discussion, and possible action regarding Bike Your Park Day, Holiday Light Celebration, July 4th Celebration, marketing, and other Town Events. (10 mins.)***

Town Manager Hendrix commented that because of the recent flooding, we have had to restructure things. At the Emergency Meeting, the Council authorized staff to restructure our current calendar to take into account the new priorities. She noted we have worked on an adjusted schedule which is part of her Action Report to allow for the administration of the financial distribution and flood recovery projects. She read from her report:

October 5	Fall Community Gathering
October 12 - October 16	Astronomy Event (series of events)

November 4	Marathon and Artisan Craft Fair
December 7	Holiday Lighting and Mini Drone Show

2024

May 5	Cinco de Mayo with Mini Drone Show
May 4 or 6	Dark Sky/Astronomy Event (Custom Drone Show)
July 4 <sup>th</sup>	July 4 <sup>th</sup> Celebration with our normal two Drone Shows

In response to a question, Town Manager Hendrix responded that it is her understanding that the Chamber will largely handle the Bike Your Park Day. She noted they are comfortable if we want to assist with raffles and giveaways.

Town Manager Hendrix directed attention to some suggested artwork for the Astronomy Event including the light pole banner and the flyer. We will start with two Dark Sky events this year and more in future years, she commented.

Vice Mayor Brush requested that we make it clear that on October 14<sup>th</sup>, there may only be a partial eclipse here in Town to avoid disappointing visitors.

Town Manager Hendrix advised that we have been working with IMAX to help participate in the October 20th event. They are for sure showing 'Deep Sky' on October 20<sup>th</sup>, and they expressed interest to us in showing a movie on the weekend of October 12<sup>th</sup>, and they asked if the Town is interested in financially sponsoring the movie. Town Manager Hendrix asked the Council if they have an interest in negotiating with IMAX for how much to give IMAX for the movie.

The Council agreed the movie is worth pursuing, including options for charging attendees a small fee.

Mayor Vail directed staff to negotiate with IMAX for the weekend of October 12th showing; whatever staff deems appropriate including the decision for it to happen or not.

***E. Consideration, discussion, and possible action regarding holiday distribution. (5 mins.)***

Town Manager Hendrix commented that this year, staff has worked with our legal counsel to come up with a different idea for a turkey distribution, and we have asked Councilmember Aldaz to assist us with this.

Councilmember Aldaz spoke of their conversation about the Holiday Distribution, noting the distributions are a lot of work for staff, and there is a lot going on this year. They discussed doing it a little differently than in the past, by running it through the Library Services Department as part of a Healthy Lifestyles program. The County would provide some educational materials, and the Town would supply gift cards of \$25 or \$30 rather than food. He mentioned the possibility of tying the gift cards and educational materials to the ARPA funds distribution.

There was discussion about using the Food Pantry to help distribute the food that the Town would buy in bulk for a better price.

Town Manager Hendrix commented that the Town Attorney advised the gift cards should only be usable at a store that sells food such as a grocery store.

At 6:06 p.m., Vice Mayor Brush left the dais and returned shortly thereafter.

Town Manager Hendrix commented that the Holiday Distribution will be first come, first serve this year.

Councilmember Wirth commented that people look forward to the turkey distribution.

Councilmember Aldaz commented that we will need more volunteers.

Town Manager Hendrix expressed concerns that there would not be enough turkeys to purchase. She noted that a Shamrock representative quoted \$100 per turkey. She also spoke of giving out hams.

Councilmember Aldaz expressed his concern that a \$50 gift card might put those who received the ARPA funds over the 1099 form limit.

Mayor Vail expressed her concern that the gift cards may be misused to purchase non-food items.

Town Manager Hendrix indicated that she would research restricted-use gift cards and hams. She stated that by October, we would be too late to order from Shamrock. She commented that we purchase a full supply every year, of turkeys or hams; we store half of what was purchased for an emergency supply. By April, we will have to distribute the stored hams, or we would need to buy 200 turkeys and store 100 turkeys.

Difficulties in providing food packages were discussed.

It was noted that the gift card distribution would be one per (adult) Library Services (TOT Pass) cardholder.

Town Manager Hendrix requested authorization or direction to staff to do more research and find a way for the \$45 limit gift card to have restricted use for food, and if that cannot be done, she will order the food. The Council directed the Town Manager to fulfill the previous statement.

Councilmember Collet commented that would put it at \$90 per family.

Lieutenant Tozer commented about food distributions in the past using 100% volunteers; he stated his volunteers would be happy to help.

***F. Consideration, discussion, and possible action regarding Proclamation of local Emergency and local recovery projects, including but not limited to landscaping. (10 mins.)***

Town Manager Hendrix explained that she was hopeful we would have quotes back today, but we do not have any yet. She noted we have spoken with our insurance carrier, and they have requested some information from us, once they get that information, including the quotes, they will send a claims adjuster. She advised the Council that they have budgeted \$100,000 for landscaping.

Mayor Vail suggested using other funds in addition to the \$100,000.

Councilmember Collet left his seat at the dais at 6:28 p.m. and returned at 6:30 p.m.

There was discussion of the landscaping allowance being up to \$200,000 along with the Mayor's and Town Manager's approval. Councilmember Wirth commented that the Vice Mayor is also on the approval side of that.

Town Manager Hendrix requested a Council vote.

Mayor Vail moved allowing staff to procure a landscaping contract with the bids that come in, up to \$200,000, and Councilmember Collet seconded the motion. Motion Carried. Aye: Mayor Vail, Vice Mayor Brush, Councilmember Wirth, Councilmember Collet, Councilmember Aldaz

Councilmember Wirth commented that she wanted to make sure that Mayor or Vice Mayor are also part of the approval process, so that it is two signatures for that amount of money.

Mayor Vail amended the motion to add that it includes the Vice Mayor's or Mayor's approval, and Councilmember Collet seconded the motion. Motion Carried. Aye: Mayor Vail, Vice Mayor Brush, Councilmember Wirth, Councilmember Collet, Councilmember Aldaz

Mayor Vail thanked individuals and read a list of the entities who helped after the flood. She also gave updates on the clean-up efforts.

Councilmember Aldaz gave an update on culvert assessments.

Rob Petzoldt of the Sanitary District commented that they did an emergency repair on the road with some emergency funds, and they still have not finished that. He noted there is a culvert on the north side of the road that needs to be extended, and he anticipated that it would be a minimum of \$1,000. He also noted they had about 15 feet of fence destroyed. He reviewed the repairs and costs, and he commented that if the District could get in on some relief funds, it would be greatly appreciated.

Mayor Vail responded that we may not wind up having extra emergency funds.

In response to a question, Town Manager Hendrix stated that right now, the HURF Fund is limited; the Council is using the General Fund to supplement HURF right now. She noted the landscaping money is coming out of Capital Improvements money. She also stated that we do not have any emergency funds coming from anywhere else.

Pete Shearer commented that Tusayan is still in danger of flooding. He shared some suggestions for Tusayan and asked that the Council try to create a solution that prevents loss of life in the future.

Mayor Vail called John Thurston on her cell phone because he raised his hand on Zoom but could not be heard on Zoom. Mr. Thurston commented that on RP Drive, he agrees with everything that Mr. Shearer said, and we need help from the Forest Service. He volunteered his help with the effort.

## **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.*

No Executive Session was held.



**9. TOWN REPORTS****A. Town Manager and Department Reports**

Town Manager Hendrix directed the Council to view her Action Report. She commented that she feels the need to publicly thank the Council. She noted this was a disaster, but it would have been worse without their assistance.

1. **Notices**
2. **Finance**
3. **Parks and Recreation**

**a. Ramada Construction Schedule**

Town Manager Hendrix advised everyone that Loven Construction is in Town and working on the Ramada. She noted the Ramada should be ready for our Holiday Lighting this year. She commented that the school presented their first report on the meal program that the Council helped to fund.

**b. Baaj Nwaavjo I'tah Kukveni Grand Canyon National Monument Status Update****4. Engineering****B. 2023 Meeting Schedule**

1. **Annual Town Calendar**
2. **Annual Budget Calendar**
3. **Strategic Planning Updates**

**C. Council Members**

Councilmember Aldaz commented on entities and people interested in attending the Fall Community Gathering including the school kids. He noted there will be live music provided by the High School students. He also noted this will be the third annual Fall Community Gathering.

Councilmember Wirth handed out reports to the Council. She reviewed figures and shared money earned from interest and bank totals. She commented that in another six months, we need to make a decision on ACH payments, that is, whether to keep it with Chase Bank or move it to Alliance Bank. She noted that the credit card account with Alliance, which we are not using, charges \$10 every month.

**D. Mayor**

Mayor Vail commented that in speaking with residents who were impacted by the flood, she learned that women's shoes are really needed, and any donations would be welcomed. She noted there will be meetings on the water project at the Park, and she hopes Town Manager Hendrix will attend as the Mayor will not be able to attend.

Mayor Vail noted that she has made comments on ADOT's Long Range Plan. She commented that there is a very strong section in there about AOT and ADOT having to care about corridors to major tourism destinations. She added that there a couple of places in the document where AOT and ADOT really give preferential treatment to tourist destinations. She noted that the Plan will not be approved until October.

Mayor Vail endearingly commented about the two matriarchs of our community whom we have lost.

**E. Tusayan Fire District**

**1. Financial**

**2. Equipment**

**3. Other**

Tusayan Fire Department Chief Brush commented that with the COVID supply lines, there have been a lot of delays on the fire engine build. He hopes it will be delivered in the next couple of weeks. He thanked the Town of Tusayan and the Town Council for making this a possibility because the current engine is hanging on by a thread.

**F. Tusayan Sanitary District**

**1. Long Jim Loop Road Update**

Town Manager Hendrix commented that there was conversation going around about the Town applying for an easement from the Forest Service.

Bob Petzoldt, of the Sanitary District, gave a report and update on the road conditions.

Mr. Petzoldt announced that the District approved getting the road done.

Town Manager Hendrix asked Mr. Petzoldt how much the bid was.

Mr. Petzoldt replied that it was \$280,000, and he noted that they made some adjustments to the plan, but it is almost exactly the same footprint. He noted they will do seal coating, crack seal coating, speed bump replacement, and striping the rest of the road after we get done with the southern part. He also commented that the Town will have plenty of money coming back.

**G. Tusayan Justice Court**

**H. NACOG – Northern Arizona Council of Governments**

Mayor Vail commented that she did attend some of the NACOG meeting, and it was not particularly anything substantial to us other than the application that we did put in for the restriping again for ADOT. She announced that we just got an email indicating that what we have been told by the last director, that everything was good, was incorrect because the new director said she should not have been told that. She explained that there are issues with naming the three stripes that then makes the emergency lane shoulders shorter than normal and shorter than the rest of Highway 64 is, so it is these exemptions, basically, that he has to approve as

well as the reasons to do them. She commented that the process has not been completed. She added that they asked the new director if going through the NACOG process would hold us up at all. She noted there has been a more recent email.

Town Manager Hendrix commented that he said he is hoping that it will be completed by next summer.

**10. FUTURE AGENDA ITEMS**

Future agenda items were not discussed.

**11. MOTION TO ADJOURN**

At 7:19 p.m., Councilmember Collet moved to adjourn, and Vice Mayor Brush seconded the motion.

The monument was discussed after a query from Mr. Petzoldt.

Mayor Vail explained that it will stay a regular agenda item in case there is any update. She noted that the Proclamation was in the Agenda Packet, and it lays out the process for towns to be involved. She shared some concerns with the Proclamation she had heard from local area residents.

Discussion ensued related to the National Monument.

At 7:24 p.m., the vote on the motion to adjourn took place and the Motion Carried. Aye: Mayor Vail, Vice Mayor Brush, Councilmember Wirth, Councilmember Collet, Councilmember Aldaz

Clarinda Vail, Mayor                      10/10/23  
Date

ATTEST:

Tina M. Abriani  
Tina M. Abriani, Town Clerk

**CERTIFICATION**

STATE OF ARIZONA

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COCONINO COUNTY

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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 SEPTEMBER 13, 2023. I further certify that the meeting was duly called and held, and that a quorum was present.

Tina M. Abriani                      10/10/23  
Town Clerk                                      Date

