

**EAGAR TOWN COUNCIL  
REGULAR SESSION  
LEGAL ACTIONS  
January 3, 2012**

CONSENT AGENDA

APPROVAL OF MINUTES OF EAGAR TOWN COUNCIL MEETINGS HELD  
DECEMBER 2011

APPROVAL OF NOVEMBER 2011 BANK TRANSMITTALS 1-21, NATIONAL  
BANK OF AZ CHECKS WRITTEN FROM 31093-31398, PAYROLL DIRECT  
DEPOSIT VOUCHERS 11031101-11171138, CARD MEMBER SERVICE CREDIT  
CARD PURCHASES

Councilor Steve Erhart moved to approve the Consent Agenda as presented. Councilor  
Byron Smith seconded; all were in favor, motion carried unanimously. 7-0

NEW BUSINESS

DISCUSSION AND CONSIDERATION TO GRANT EASEMENT IN TOWN RIGHT-  
A-WAY ON 2<sup>ND</sup> AVENUE TO CRAZY FROG DESIGNS AND TEE'S FOR  
PLACEMENT OF PROPANE TANK AND SOLID WASTE CONTAINER

Council Steve Erhart asked to reclude himself from this item declaring a conflict of  
interest.

Vice-Mayor James Nelson, Jr. moved to grant an easement in the Town right of way on  
2<sup>nd</sup> Avenue to Crazy Frog Designs and Tees for placement of propane tank and solid  
waste container pending the Design and Review final approval of the easement.  
Councilor Gary Finch seconded; all remaining were in favor, motion carried  
unanimously. 6-0

DISCUSSION AND CONSIDERATION TO APPOINT TWO NEW PLANNING AND  
ZONING COMMISSIONER'S MARSHA GREGORY TO A THREE-YEAR TERM  
AND WESLEY MCBRIDE FOR A ONE-YEAR TERM

Councilor Gary Finch moved to appoint Wesley McBride and Marsha Gregory to fill the  
two vacant seats on the Planning and Zoning Commission. Councilor Byron Smith  
seconded; all were in favor, motion carried unanimously. 7-0

DISCUSSION AND CONSIDERATION TO APPROVE A JOINT PARTNER  
AGREEMENT BETWEEN ARIZONA DEPARTMENT OF TRANSPORTATION  
AND THE TOWN OF EAGAR TO MILL THE EXISTING ASPHALT AND

REPAVING ALONG BUTLER STREET FROM CENTRAL AVENUE TO 5<sup>TH</sup> AVENUE, AND ALONG MAIN STREET FROM CENTRAL AVENUE TO 4<sup>TH</sup> STREET

Vice-Mayor James Nelson, Jr. moved to approve a Joint Partner Agreement between Arizona Department of Transportation and the Town of Eagar to mill the existing asphalt and repaving along Butler Street from Central Avenue to 5<sup>th</sup> Avenue, and along Main Street from Central Avenue to 4<sup>th</sup> Street. Councilor Steve Erhart seconded; six were in favor Councilor Gary Finch was opposed, motion carried. 6-1

DISCUSSION AND CONSIDERATION TO APPROVE AN AGREEMENT FOR PROFESSIONAL SERVICES WITH BFI BUILDING CODE CONSULTANTS, LLC FOR PLAN REVIEW ON COMMERCIAL PROJECTS

Councilor Steve Erhart moved to approve an agreement for professional services with BFI Building Code Consultants, LLC for plan review on commercial projects. Councilor Byron Smith seconded; all were in favor, motion carried unanimously. 7-0

EXECUTIVE SESSION

EXECUTIVE SESSION AS ALLOWED BY A.R.S. § 38-431.03.A.1. - DISCUSSION OR CONSIDERATION OF EMPLOYMENT, ASSIGNMENT, APPOINTMENT, PROMOTION, DEMOTION, DISMISSAL, SALARIES, DISCIPLINING OR RESIGNATION OF A PUBLIC OFFICER, APPOINTEE OR EMPLOYEE OF ANY PUBLIC BODY, EXCEPT THAT, WITH THE EXCEPTION OF SALARY DISCUSSIONS, AN OFFICER, APPOINTEE OR EMPLOYEE MAY DEMAND THAT THE DISCUSSION OR CONSIDERATION OCCUR AT A PUBLIC MEETING – TOWN MANAGER PERFORMANCE EVALUATION

Vice-Mayor James Nelson moved to go into Executive Session at 8:25 p.m. Councilor Debbie Rogers seconded; all were in favor, motion carried unanimously. 7-0

DISCUSSION AND CONSIDERATION OF ANY ACTION DEEMED NECESSARY FROM THE EXECUTIVE SESSION IN REGARDS TO THE PERSONNEL ISSUE

Councilor Steve Erhart moved to reconvene into Regular Session at 10:40 p.m. Vice-Mayor James Nelson, Jr. seconded; all were in favor, motion carried unanimously. 7-0

No action was taken.