

**MINUTES
EAGAR TOWN COUNCIL
REGULAR MEETING
22 W. 2nd St., Eagar, AZ
June 28, 2016 - 7:00 P.M.**

Mayor Bryce Hamblin called the Regular Council Meeting to order and welcomed those present. Mayor Hamblin requested that the record show that all Councilmembers are present. Mayor Hamblin led the Pledge of Allegiance and John Phelps offered the invocation.

COUNCIL PRESENT: Bryce Hamblin, Mayor
James Nelson, Jr., Vice Mayor
Debra Seeley
Steve Erhart
John O. Phelps
Winslow McNeill
Allen Browning

STAFF PRESENT: Tami Ryall, Town Manager
Katie Brady, Finance Manager
Eva Wilson, Town Clerk
Bruce Ray, Public Works Director
Mike Sweetser, Interim Police Chief
Frank Adams, Fire Chief
Jeremiah Loyd, Community Development Administrator
Doug Brown, Town Attorney

ITEM #5: SUMMARY OF CURRENT EVENTS

A. MAYOR

None.

B. COUNCIL

None.

C. STAFF

Town Manager Tami Ryall pointed out the calendar of events for the Fourth of July in the Council's interoffice mail.

Ms. Ryall asked for RSVP's for Councilmembers who are going to attend the Apache and Navajo Counties Mayor and Councilmember Association meeting being held on July 14, 2016 at noon in Holbrook. The League of Arizona Cities and Towns will be presenting the 2016 legislative wrap up report.

Interim Police Chief Mike Sweetser reported that the department is in the process of hiring a certified police officer who is from the local area so the field training period should be shortened.

ITEM #6: OPEN CALL TO THE PUBLIC

None.

ITEM #7: CONSENT AGENDA

- A. APPROVAL OF MINUTES OF EAGAR TOWN COUNCIL MEETING(S) HELD JUNE 7, 2016
- B. APPROVAL OF MAY 2016 NATIONAL BANK OF ARIZONA TRANSMITTALS, CHECKS WRITTEN, PAYROLL DIRECT DEPOSIT VOUCHERS, AND CREDIT CARD PURCHASES
- C. ACCEPTANCE OF MAY 2016 FINANCIAL REPORT AND SALES TAX REPORT
- D. APPROVAL TO ALLOW FOR THE SOLICITATION OF BIDS FOR A CHIP SEAL PROJECT OF GRAND VIEW ESTATES (CEDAR, PINE, SPRUCE, 12TH STREET, SPANISH TRAIL, BENNY JAY, SLADE DRIVE) NOT TO EXCEED \$80,000 AND TO ALLOW THE TOWN OF EAGAR TO ENTER INTO A CONTRACT WITH THE LOWEST RESPONSIBLE BIDDER
- E. APPROVAL TO ENTER INTO AN AGREEMENT WITH THE ARIZONA COMMERCE AUTHORITY THROUGH RURAL ECONOMIC DEVELOPMENT ENHANCEMENT FOR \$30,000
- F. APPROVAL TO ADOPT RESOLUTION 2016-09 AUTHORIZING THE TOWN OF EAGAR SUBMISSION OF THE 2016 COPS HIRING PROGRAM (CHP) GRANT

Councilor Winslow McNeill made a motion to approve the Consent Agenda. Councilor Steve Erhart seconded; all were in favor, motion carried unanimously. 7-0

ITEM #8: UNFINISHED BUSINESS

- A. DISCUSSION, CONSIDERATION AND SECOND READING OF ORDINANCE 2016-04 AMENDING THE EAGAR TOWN CODE TITLE 2, ADDING SECTION 2.04.045 – COUNCIL STIPEND

Ms. Ryall is recommending this addition to the Town Code after researching the resign to run statutes and wants to clarify in the Town Code that the Eagar Town Council and Mayor receive a stipend to reimburse officials for their expenses related to their official capacity and not to be interpreted as a salary. The small stipend would be set every year within the annual budget. Nothing in this Ordinance has changed since the first reading.

Vice-Mayor James Nelson, Jr. made a motion to approve Ordinance 2016-04. Councilor Debra Seeley seconded; all were in favor, motion carried unanimously. 7-0

B. DISCUSSION, CONSIDERATION AND SECOND READING OF ORDINANCE 2016-05 AMENDING THE EAGAR TOWN CODE TITLE 6 SECTION 6.12.110 FIVE OR MORE DOG PERMIT; AND AMENDING TITLE 18 SECTIONS 18.20.050, 18.24.050, 18.28.050, 18.32.050, 18.36.050, 18.40.050, 18.44.050, 18.48.060, AND 18.52.050 ZONING, GENERAL PROVISIONS PERTAINING TO FIVE OR MORE DOG PERMIT

Interim Chief Sweetser stated the Ordinance will remove the need for citizens to apply for a conditional use permit from the Planning and Zoning Commission for citizens wanting to permit five or more dogs. Surrounding neighbors will instead be notified of the permit application in order to give them notice.

Ms. Ryall added that Interim Chief Sweetser has added a chronological outline of how the current process requiring a conditional use permit and the 10,000 square feet of acreage per dog evolved. In 1999 a “kennel permit” was added to Chapter 6, Animals, of the Municipal Code. A name change of “five or more dogs permit” occurred in 2010. In 2013 Council approved the ordinance for the current process requiring a conditional use permit and 10,000 square feet of acreage per dog.

Councilor John Phelps doesn’t think it’s appropriate for the Town to determine how many dogs a citizen owns on private property if the owner is properly taking care of the needs of those animals, and if there is nothing wrong the Town shouldn’t be inclined to fix it. Ms. Ryall stated that in 2013 during the discussions, the Council’s focus was on large animals and the minutes do not reflect discussion regarding the conditional use permit for five or more dogs.

Mayor Hamblin wants the provision in the Zoning section of the Municipal Code removed that states that the Town will initiate the complaint. Ms. Ryall stated that the Zoning Code will be revised again in the next few months to propose removing all animal enforcement from that chapter placing the new language into Chapter 6 pertaining to animals.

Town Attorney Doug Brown stated the majority of zoning code complaints are not Town initiated and it could be appropriate for the Council to remove Town initiated complaints from some animal enforcement.

Councilor Steve Erhart added unless the animal issue threatens the health and safety of the people the Town should not interfere with a person’s private property when there are not issues.

Ms. Ryall stated that the proposed ordinance tonight will separate the Community Development Department and the Planning and Zoning Commission from the animal issues.

Vice-Mayor James Nelson made a motion to approve Ordinance 2016-05. Councilor Allen Browning seconded; all were in favor, motion carried unanimously. 7-0

ITEM #9: NEW BUSINESS

None.

ITEM #10: SIGNING OF DOCUMENTS

Necessary signatures were obtained for the Minutes of June 7 2016; the May 2016 Financial Pages; Arizona Commerce Authority Agreement; Resolution 2016-09; and Ordinances 2016-04 and 2016-05.

ITEM #11: ADJOURNMENT

Councilor Steve Erhart moved to adjourn the meeting [at 7:16 p.m.]. Councilor Allen Browning seconded; all were in favor, motion carried unanimously. 7-0

Attest: _____

Mayor: _____

Vice-Mayor: _____

Council: _____

CERTIFICATION OF COUNCIL MINUTES

I hereby certify that the foregoing minutes is a true and correct copy of the minutes of the Regular Council Meeting of the Town of Eagar, Arizona held on June 28, 2016. I further certify that the meeting was duly called and held and that a quorum was present.

Eva M. Wilson, Town Clerk