

**MINUTES  
EAGAR TOWN COUNCIL  
REGULAR MEETING  
22 W. 2<sup>nd</sup> St., Eagar, AZ  
August 5, 2014 - 7:00 P.M.**

Mayor Bryce Hamblin called the Regular Council Meeting to order and welcomed those present. Mayor Hamblin said to let 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  
Byron Smith  
Steve Erhart  
Winslow McNeill  
Allen Browning  
John O. Phelps

STAFF PRESENT: Tami Ryall, Town Manager  
Bruce Ray, Community Development/Public Works Director  
Eva Wilson, Town Clerk  
Katie Brady, Finance Manager  
Mike Hogan, Police Chief  
Doug Brown, Town Attorney

**ITEM #5: SUMMARY OF CURRENT EVENTS**

A. MAYOR

Mayor Bryce Hamblin thanked the Eagar staff for the hard work they put into Eagar Days. He has received comments from citizens stating that this was the best Eagar Days they had ever been to.

B. COUNCIL

Councilor Byron Smith reported on the Horseshoe Tournament. There were a total of 17 participants this year; 12 singles and 7 doubles teams. Registration fees for the tournament were \$15 with payouts totaling \$510. All the winners were from Whiteriver and there is a need to sweeten the pot next year by soliciting donations for cash prizes. There was a cash donation by an Eagar citizen of \$120 for the purpose of encouraging participants to return. Councilor Smith thanked Councilor Steve Erhart for the work he completed on the horseshoe pits.

C. STAFF

Town Manager Tami Ryall directed the Council's attention to a mock up of photos that will be used at the Apache and Navajo Counties booth during the League of Arizona Cities and Towns Conference.

Ms. Ryall also distributed to Council a thank you card from the Eagar Days Citizen of the Year, Becky Crosby, expressing her heartfelt appreciation for the award.

Town Clerk Eva Wilson directed the Council's attention to two invitations they have received for August 7<sup>th</sup>. A Town Hall with Senator Jeff Flake in Show Low and/or at the Springerville Airport, and a meeting with the Round Valley Concerned Citizens at the Round Valley Library.

**ITEM #6: OPEN CALL TO THE PUBLIC**

Barbara Silversmith introduced herself as a candidate for Apache County Clerk of the Superior Court. Ms. Silversmith stated that she had been a long time resident of Eagar graduating from Round Valley and much later moved to St. Johns where she now lives. She gave a brief review of her work experience as a public servant starting with her work experience with the Town of Springerville as an energy coordinator through Northern Arizona Council of Governments, State of Arizona ACCESS program, and two separate tenures with the Apache County Clerk of the Superior Court of which she served until her retirement. Her interest to serve as an elected official surfaced after she learned of the current Clerk of the Court's planned retirement. Ms. Silversmith also operates a vendor booth which serves the local communities during special events.

Bradley Grower brought to the Council's attention that, intentionally or not, the Eagar Municipal Code 18.52.050.J11(d) is not enforced according to A.R.S. § 16-1019 as it relates to political signs on private or public property and the prohibition for removal of political signs not in compliance. A.R.S. § 16-1019.C5 "*The sign contains the name and telephone number or website address of the candidate or campaign committee contact person.*" is required information to be on political signs under Eagar Town Code whether it be on private or public property. Mr. Grower stated that the Town could amend the code to specifically specify the intent or the Town should enforce the existing code. At this time the omission of the contact information is self defeating for the candidate or ballot issue as persons interested in supporting the campaign have no contact information thus limiting interaction between supporters, voters and candidates. Mr. Grower believes the enforcement should be strict and enforced. He added that a person in the Town's code enforcement does not agree. If this is not how the Council wants the code to read, than it needs amended.

Lester Hanson had concerns with the code enforcement procedure as he has to give his name, phone number and address when making a code complaint and is in fear of harassment and retaliation from the person he would be complaining on as that same information is public record. When the retaliation begins it is not the town that then has to pay for an attorney. He

expressed the need to clean the town as it is a beautiful town and the few people who do not maintain their property discourage new people from moving in, or prohibits fair property values.

Mr. Hanson added that the Town has no reason to practice active code enforcement as the Town already has employees in the form of meter readers that stop at every residence in Eagar monthly and could take pictures of homes with code violations. The Town needs businesses and people to move here to support those businesses, but the trashy yards are intolerable for new people to move to Eagar. He asked that the Council consider active code enforcement instead of complaint-based enforcement.

Mayor Hamblin responded to Mr. Hanson saying that he appreciates that somebody is hesitant to put their name on a complaint especially if they fear retaliation. However, on the flip side, complaints could also be used as a means of harassment or retaliation as well. Mayor Hamblin stated he is a big advocate of complainants having to sign their name on the dotted line. He added that he is not sure he wants to live in a place that the meter reader is inspecting his property for complaints and code issues. The Town does not have the means to send code enforcement around full time and the Town has been practicing complaint-based code enforcement for quite some time. Mayor Hamblin does share in Mr. Hanson's concern that some properties owners are not concerned about their property; and if their neighbors are concerned about their property values being brought down, they should fill out a complaint. Mayor Hamblin stated he is a big advocate of private property rights and his view point is that his right to enjoy his property ends at his property line. He does not have the right to look over his neighbor's property and enjoy the view of that property as well. If people want to live in someplace that is that stringent and strict, then people have the right to live in a property owner's' or homeowner's association that would enforce those rules. Outside of a contract like that, Mayor Hamblin's opinion is that he does not want the government telling him what to make his property look like.

#### **ITEM #7: CONSENT AGENDA**

- A. APPROVAL OF MINUTES OF EAGAR TOWN COUNCIL MEETING HELD JULY 2014
- B. APPROVAL OF JUNE 2014 NATIONAL BANK OF ARIZONA TRANSMITTALS, CHECKS WRITTEN, PAYROLL DIRECT DEPOSIT VOUCHERS, AND CREDIT CARD PURCHASES

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

#### **ITEM #8: UNFINISHED BUSINESS**

- A. DISCUSSION AND CONSIDERATION OF MAY 2014 FINANCIAL REPORT AND SALES TAX REPORT

Finance Manager Katie Brady stated that this report is for the end of the fiscal year and closed with all funds included at \$158,000 revenues over expenditures. That is without year-end audit adjustments which when applied will complete the year at least \$300,000 revenues over expenditures. These monies will be placed in savings.

Regarding local sales tax, compared to historical revenues, the Town ended the year with city sales tax up .7% over the prior fiscal year missing the budgeted amount by \$19,000. Income tax, vehicle license tax and state shared sales tax were 5.7% over the prior year and over the budgeted amounts. In HURF the Town ended 2.4% over the prior fiscal year and over budgeted amount.

### **ITEM# 9: NEW BUSINESS**

A. DISCUSSION AND CONSIDERATION TO ALLOW THE CHURCH OF LATTER DAY SAINTS STAKE CENTER WAIVER OF A VENDOR PERMIT FOR SEPTEMBER 20, 2014 FOR THE PURPOSE OF HOLDING A COMMUNITY-WIDE PREPAREDNESS FAIR

Mr. Steven Heap advised Council of the desire for community organizers to hold a preparedness fair and that like last year the Town of Eagar allow the closing of Main Street between 1<sup>st</sup> and 2<sup>nd</sup> Avenues from 8:00 a.m. - 3:00 p.m. Mr. Heap asked that the Council waive the permit fees for all vendors that are present.

Town Manager Tami Ryall asked that the event organizers provide a Certificate of Insurance naming the Town of Eagar as “additional insured.”

Vice-Mayor James Nelson, Jr. moved to allow the Church of Latter Day Saints Stake Center a waiver of a vendor permit for September 20, 2014 for the purpose of holding a community-wide preparedness fair. Councilor Steve Erhart seconded; all were in favor, motion carried unanimously. 7-0

B. DISCUSSION AND CONSIDERATION TO PARTICIPATE IN AND CO-HOST A 2016 GEO CACHING REGION-WIDE EVENT AND TO CONTRIBUTE A TOTAL OF \$6,000 WITHIN THE NEXT TWO YEARS IN A JOINT VENTURE THROUGH THE APACHE AND NAVAJO COUNTIES MAYOR AND COUNCIL MEMBERS ASSOCIATION

Mayor Bryce Hamblin and Town Manager Tami Ryall briefed the Council on this regional event proposed by the Apache and Navajo Counties Mayor and Council Members Association. The event would include all cities and towns with each city or town holding their own geo caching activity. It has initially been proposed that the event start in Show Low and end at the Dome in Eagar. The \$6,000 (\$3,000 contributed each year for two years) could be used to help buy a significant prize (Jeep with city and town logos) for the overall winner. Mayor Hamblin stated that this could be significant event for these communities and it would be a boost for Eagar to have this event occur every year ending in the Dome. The Dome was

recommended as the ending point as it will be the only facility to hold the number of people intended.

Dates have yet to be decided as the Association is awaiting decisions to fund the event from the individual cities and towns.

Councilor Steve Erhart moved to co-host a 2016 Geo Caching region-wide event and to contribute a total of \$6,000 within the next two years in a joint venture through the Apache and Navajo Counties Mayor and Council Members Association. Councilor Winslow McNeill seconded; all were in favor, motion carried unanimously. 7-0

C. DISCUSSION AND CONSIDERATION TO DONATE A TOWN OF EAGAR USED POLICE TRANSPORT CAGE TO LITTLE COLORADO BEHAVIORAL HEALTH CENTER FOR THEIR USE IN TRANSPORTING MENTALLY ILL PERSONS TO PSYCHIATRIC FACILITIES

Police Chief Mike Hogan stated that Little Colorado Behavior Health Center (LCBHC) transports all mentally ill patients for the Eagar Police Department. Using only one person to transport these patients, Chief Hogan had suggested that the transporter contain a cage or partition (between the front seating and back seating area.) Therefore, Chief Hogan is asking that the Town of Eagar donate a “cage” that is no longer being used because several of the cages in storage do not fit the current police vehicles.

Vice-Mayor James Nelson, Jr. moved to donate a Town of Eagar used police transport cage to Little Colorado Behavioral Health Center for their use in transporting mentally ill persons to psychiatric facilities. Councilor Winslow McNeill seconded; all were in favor, motion carried unanimously. 7-0

D. DISCUSSION AND CONSIDERATION TO DONATE TOWN OF EAGAR USED MISCELLANEOUS EQUIPMENT (LIGHT BARS, SIREN KITS) TO THE NORTHEASTERN ARIZONA LAW ENFORCEMENT TRAINING ACADEMY TO BE USED IN THEIR LAW ENFORCEMENT TRAINING PROGRAMS

Chief Hogan requested that the Town of Eagar donate two sirens, two light bars and any future used tires to the Northeastern Arizona Law Enforcement Training Academy as the academy is in need of these types of item in their training of future police officers. This equipment is of the older technology and the police department has no plans to use them in the future and would, if not donated, sell the equipment at auction.

Vice-Mayor James Nelson, Jr. moved to donate Town of Eagar used miscellaneous equipment (light bars, siren kits) to the Northeastern Arizona Law Enforcement Training Academy to be used in their law enforcement training programs. Councilor Allen Browning seconded; all were in favor, motion carried unanimously. 7-0

**ITEM #10: SIGNING OF DOCUMENTS**

Necessary signatures were obtained for the Minutes of July 2014; and the June financial page.

**ITEM #11: ADJOURNMENT**

Councilor Allen Browning moved to adjourn the meeting (at 7:40 p.m.) Councilor John Phelps seconded; all were in favor, motion carried unanimously. 7-0

Attest: \_\_\_\_\_

Mayor: \_\_\_\_\_

Vice-Mayor: \_\_\_\_\_

Council: \_\_\_\_\_

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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 August 5, 2014. I further certify that the meeting was duly called and held and that a quorum was present.

\_\_\_\_\_  
Eva M. Wilson, Town Clerk