

**MINUTES  
EAGAR TOWN COUNCIL  
REGULAR MEETING  
22 W. 2<sup>nd</sup> St., Eagar, AZ  
August 18, 2015 - 7:00 P.M.**

Vice Mayor James Nelson, Jr. called the Regular Council Meeting to order and welcomed those present. Vice Mayor Nelson stated that Mayor Bryce Hamblin and Councilor John Phelps are excused absent. Vice Mayor James Nelson, Jr. led the Pledge of Allegiance and Councilor Allen Browning offered the invocation.

COUNCIL PRESENT:        James Nelson, Jr., Vice Mayor  
                                 Steve Erhart  
                                 Winslow McNeill  
                                 Debra Seeley  
                                 Allen Browning

COUNCIL ABSENT:        Bryce Hamblin, Mayor  
                                 John O. Phelps

STAFF PRESENT:        Tami Ryall, Town Manager  
                                 Bruce Ray, Public Works Director  
                                 Eva Wilson, Town Clerk  
                                 Frank Adams, Fire Chief  
                                 Mike Hogan, Police Chief  
                                 Doug Brown, Town Attorney

**ITEM #5: CONSENT AGENDA**

- A. APPROVAL OF MINUTES OF EAGAR TOWN COUNCIL MEETING(S) HELD JUNE 2015
- B. APPROVAL OF MAY AND JUNE 2015 NATIONAL BANK OF ARIZONA TRANSMITTALS, CHECKS WRITTEN, PAYROLL DIRECT DEPOSIT VOUCHERS, AND CREDIT CARD PURCHASES
- C. ACCEPTANCE OF MAY AND JUNE 2015 FINANCIAL REPORT AND SALES TAX REPORT
- D. APPROVAL OF RESOLUTION 2015-10 DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT FILED WITH THE EAGAR TOWN CLERK AND ENTITLED "2012 INTERNATIONAL FIRE CODE"
- E. ADOPTION OF RESOLUTION 2015-11 AMENDING THE EAGAR PERSONNEL POLICY RULE 18 TO BETTER COMPLY WITH THE DRUG-FREE WORKPLACE ACT AND THE FEDERAL OMNIBUS TRANSPORTATION EMPLOYEE TESTING ACT

- F. ADOPTION OF RESOLUTION 2015-14 AMENDING THE EAGAR PERSONNEL POLICY RULE 5 – APPLICANTS, APPLICATIONS AND EXAMINATIONS TO REQUIRE PRE-EMPLOYMENT PHYSICALS FOR NEW EMPLOYEES
- G. APPROVAL OF A SERVICE AGREEMENT BETWEEN THE TOWN OF EAGAR AND SOUTHWEST LABORATORIES FOR THE TESTING AND REPORTING OF EMPLOYEE DRUG SCREENINGS RESULTS
- H. APPROVAL TO APPOINT DARYL THURBER AND SHAWNA ELLIS TO THE EAGAR BEAUTIFICATION COMMITTEE
- I. APPROVAL TO APPOINT RON SHEPHERD TO THE PLANNING AND ZONING COMMISSION FOR A THREE –YEAR TERM TO EXPIRE JANUARY 2018
- J. APPROVAL TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE ARIZONA DEPARTMENT OF CORRECTIONS TO USE INMATE LABOR FOR MAINTENANCE ACTIVITIES AND PROJECTS
- K. APPROVAL TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT (WITH THE ARIZONA DEPARTMENT OF REVENUE FOR THE ADMINISTRATION, COLLECTION, AND/OR LICENSING OF TRANSACTION PRIVILEGE TAX, USE TAX, SEVERANCE TAX, JET FUEL EXCISE AND USE TAXES AND RENTAL OCCUPANCY TAX WHEN IMPOSED BY THE STATE AND TOWN

Councilor Steve Erhart moved to approve the Consent Agenda as presented with the removal of Item L. Councilor Winslow McNeill seconded; all were in favor, motion carried unanimously. 5-0

Council discussion of Item L.

- L. APPROVAL TO ACCEPT A PROPOSAL TO PROVIDE A WATER AND WASTEWATER RATE ANALYSIS AND RATE PLAN UPDATE FROM ECONOMISTS.COM/WILLDAN FINANCIAL SERVICES NOT TO EXCEED \$12,000

Town Manager Tami Ryall informed Council that what they had before them is a contract to update the rates study. There was a discussion during the budget workshop where Council agreed to freeze the sewer rates and there was dialog about our water rates and wanting to help our residents with the rates. The Town froze in the current budget the sewer rates for two years with the understanding that Council wanted staff to go back and take a look at the model that had previously been developed. And go through a process to reevaluate and make sure it was working. What Council has before them is the proposed contract with the firm that did the water and sewer rate analysis on which our rates are currently based, to go through and do an update and check all of the assumptions and check if there have been changes in the current time to see if those rate models are still valid.

Council wanted to examine the ability to do this rate study internally, so they could have this information available whenever they wanted it, without cost. Also, Council asked staff to resend the 2012 Rate Study to Council. Ms Ryall and the Finance Manager Katie Brady both said they could make an excel spreadsheet but, they don't have the expertise of the economists to develop an analysis of a future forecast, specifically in the area of estimating capital and maintenance expenditures. They will look into making a rate study and bring it back at a later date.

**ITEM #6: UNFINISHED BUSINESS**

**A. DISCUSSION, CONSIDERATION AND SECOND READING OF ORDINANCE 2015-03 ADOPTING BY REFERENCE THE 2012 INTERNATIONAL FIRE CODE**

Fire Chief Frank Adams asked is there were any questions regarding the code itself? Chief Adams had spoken with the Assistant Fire Marshall who said that the State of Arizona would be adopting this code this code later this fall.

Councilor Winslow McNeill moved to approve Ordinance 2015-03 adopting by reference the 2012 International Fire Code. Councilor Allen Browning seconded; all were in favor, motion carried unanimously. 5-0

**ITEM #7: NEW BUSINESS**

**A. DISCUSSION AND FIRST READING OF ORDINANCE 2015-04 AMENDING THE EAGAR TOWN CODE CHAPTER 13.28.040 – CROSS CONNECTION AND BACKFLOW PREVENTION**

Public Works Director Bruce Ray stated that at two Utilities Board meetings they discussed cross contamination and backflow devices, which is specifically in Section 13.28.040 of the Town Code. The reason for this discussion was so the Town could stay in compliance with State Rule R-18-4-215, which requires the Town to maintain annual inspection reports on backflow device inspections. At the Utilities Board this issue was discussed and the initial proposal included fines for non-compliance. The Board asked him to remove the penalties and in its place they put removal of the meter if they were not in compliance. This is the first reading and he will take questions that Council has and the Town needs some type of enforcement to make sure people are in compliance.

Council wanted to know what the pro's of pulling the meter where verses fining. Mr. Ray said it was the easiest way to get them in compliance. If their meter is pulled they are in compliance and they can't contaminate the Town's water system. Councilman Steve Erhart would like to remove the part in parenthesis on the first line of Exhibit A. Then the town would have the option that it can take the meter out, but if somebody else has a separation of the line somewhere else, leave the meter.

Council decided to take out the comma right after discontinue to read “A. The town may deny or discontinue (removal of meter)” to make it become a more permissive statement. Staff will bring back Ordinance 2015-04 with the change for the second reading.

**ITEM #8: SIGNING OF DOCUMENTS**

Necessary signatures were obtained for the Minutes of June 2015; the May and June Financial Pages; Resolution 2015-10, 2013-11 and 2015-14; agreement with Southwest Laboratories; Intergovernmental Agreement with the Arizona Department of Corrections; Intergovernmental Agreement with the Arizona Department of Revenue; and the 2012 International Fire Code.

**ITEM #9: ADJOURNMENT**

Councilor Allen Browning moved to adjourn the meeting [at 7:44 p.m.]. Councilor Steve Erhart seconded; all were in favor, motion carried unanimously. 5-0

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 18, 2015. I further certify that the meeting was duly called and held and that a quorum was present.

\_\_\_\_\_  
Marion Wiltbank, Assistant Town Clerk