

**MINUTES
EAGAR TOWN COUNCIL
PUBLIC HEARING AND REGULAR MEETING
22 W. 2nd St., Eagar, AZ
October 6, 2020 – 7:00 P.M.**

Mayor Bryce Hamblin called the Regular Meeting to order and welcomed those present. Mayor Hamblin requested that the record show all Councilmembers are present except for Councilmember Marsha Tucker. Mayor Hamblin led the Pledge of Allegiance and Councilor Reece Hadlock offered the invocation.

COUNCIL PRESENT: Bryce Hamblin
Steve Erhart
John Phelps
Reece Hadlock
Winslow McNeill
Debra Seeley

COUNCIL ABSENT: Marsha Tucker

STAFF PRESENT: Matt Mears, Town Manager
Kate Brady, Town Clerk/ Finance Director
Jessica Vaughan, Deputy Clerk/Events Coordinator
Shane Bevington, Police Chief
Frank Adams, Fire Chief
Brett Riggs, Town Attorney

ITEM #5: SUMMARY OF CURRENT EVENTS

Town Manager Matt Mears stated that the Nicoll Well went down and we had to do an emergency purchase to get it fixed. The Nicoll Well will be back up and running this Friday.

ITEM #6: OPEN CALL TO THE PUBLIC

Terry Shove stated that the Boys and Girls Club has partnered with the National Football League, a skills camp for basketball will start soon and games will start in January. The Foundation for Little Colorado Revitalization is still working on the grant for the Revolving Loan.

ITEM #7: PUBLIC HEARING

A. FISCAL YEAR 2020-2021 FINAL BUDGET

Vice- mayor Steve Erhart made a motion to go into Public Hearing at [7:08 p.m.]

Councilor Reece Hadlock seconded; all were in favor, motion carried unanimously. 6-0

Vote: Ayes: Bryce Hamblin
Steve Erhart
Reece Hadlock
Debra Seeley
John Phelps
Winslow McNeill

Vice- mayor Steve Erhart made a motion to go convene Regular Session at [7:10 p.m.] Councilor Reece Hadlock seconded; all were in favor, motion carried unanimously. 6-0

Vote: Ayes: Bryce Hamblin
Steve Erhart
Reece Hadlock
Debra Seeley
John Phelps
Winslow McNeill

ITEM #8: CONSENT AGENDA

- A. APPROVAL OF MINUTES OF EAGAR TOWN COUNCIL MEETING(S) HELD SEPTEMBER 2020
- B. APPROVAL OF AUGUST 2020 NATIONAL BANK OF ARIZONA TRANSMITTALS, CHECKS WRITTEN, PAYROLL DIRECT DEPOSIT VOUCHERS, AND CREDIT CARD PURCHASES
- C. ACCEPTANCE OF AUGUST 2020 FINANCIAL REPORT AND SALES TAX REPORT

Councilor Winslow McNeill made a motion to approve the consent agenda. Councilor Debra Seeley seconded; all were in favor, motion carried unanimously. 6-0

Vote: Ayes: Bryce Hamblin
Steve Erhart
Reece Hadlock
Debra Seeley
John Phelps
Winslow McNeill

ITEM #10: NEW BUSINESS

A. DISCUSSION AND CONSIDERATION TO ADOPT RESOLUTION 2020-12
FISCAL YEAR 2020-2021 FINAL BUDGET

Councilor Reece Hadlock made a motion to adopt Resolution 2020-12 fiscal year 2020-2021 Final Budget. Councilor Winslow McNeill seconded; all were in favor, motion carried unanimously. 6-0

Vote: Ayes: Bryce Hamblin
Steve Erhart
Reece Hadlock
Debra Seeley
John Phelps
Winslow McNeill

B. DISCUSSION AND CONSIDERATION TO ADOPT RESOLUTION 2020-13
APPOINTING MATT MEARS, TOWN MANAGER, AS THE TOWN OF EAGAR'S
DESIGNATED APPLICANT'S AGENT FOR HAZARD MITIGATION
ASSISTANCE PROGRAMS

Councilor Winslow McNeill made a motion to adopt Resolution 2020-13 appointing Matt Mears, Town Manager, as the Town of Eagar's designated applicant agent for Hazard Mitigation Assistance Program. Vice- mayor Steve Erhart seconded; all were in favor, motion carried unanimously. 6-0

Vote: Ayes: Bryce Hamblin
Steve Erhart
Reece Hadlock
Debra Seeley
John Phelps
Winslow McNeill

C. DISCUSSION AND CONSIDERATION TO ADOPT RESOLUTION 2020-14
APPOINTING MATT MEARS, TOWN MANAGER, AS THE TOWN OF EAGAR'S
DESIGNATED APPLICANT'S AGENT FOR PUBLIC ASSISTANCE PROGRAMS

Councilor Reece Hadlock made a motion to adopt Resolution 2020-14 appointing Matt Mears, Town Manager, as the Town of Eagar's designated applicant's agent for Public Assistance Programs. Vice- mayor Steve Erhart seconded; all were in favor, motion carried unanimously. 6-0

Vote: Ayes: Bryce Hamblin
Steve Erhart
Reece Hadlock
Debra Seeley
John Phelps

Winslow McNeill

D. DISCUSSION AND CONSIDERATION TO ADOPT RESOLUTION 2020-15 ASSIGNING SIGNORS TO THE TOWN OF EAGAR BANK ACCOUNTS WITH NATIONAL BANK OF ARIZONA SIGNORS ARE BRYCE HAMBLIN, STEVE ERHART, MATTHEW MEARS, MARY BRADY, SHANE BEVINGTON, JESSICA VAUGHAN, LOURDES CARNRIGHT

Vice- mayor Steve Erhart made a motion to adopt Resolution 2020-15 assigning signors as listed to the Town of Eagar's bank accounts with National Bank of Arizona. Councilor Winslow McNeill seconded; all were in favor, motion carried unanimously. 6-0

Vote: Ayes: Bryce Hamblin
Steve Erhart
Reece Hadlock
Debra Seeley
John Phelps
Winslow McNeill

E. DISCUSSION AND CONSIDERATION TO ADOPT RESOLUTION 2020-16 APPOINTING TRUSTEE JESSICA VAUGHAN AND ALTERNATE TRUSTEE MATT MEARS TO REPRESENT THE TOWN OF EAGAR ON THE GOVERNING BOARD OF THE RURAL ARIZONA GROUP HEALTH TRUST

Councilor Reece Hadlock made a motion to adopt Resolution 2020-16 appointing trustee Jessica Vaughan and alternate trustee Matt Mears to represent The Town of Eagar on the governing board of The Rural Arizona Group Health Trust. Vice- mayor Steve Erhart seconded; all were in favor, motion carried unanimously. 6-0

Vote: Ayes: Bryce Hamblin
Steve Erhart
Reece Hadlock
Debra Seeley
John Phelps
Winslow McNeill

F. DISCUSSION AND CONSIDERATION OF APPLICATION RZ2020-02 FOR REZONING OF 210 S. HARLESS ST. FROM A AR-20 ZONING TO AR-7 ZONING

Vice- mayor Steve Erhart made a motion to approve application RZ2020-02 for rezoning of 210 S. Harless St, from AR-20 zoning to AR-7 zoning. Councilor Winslow McNeill seconded; all were in favor, motion carried unanimously. 6-0

Vote: Ayes: Bryce Hamblin
Steve Erhart

Reece Hadlock
Debra Seeley
John Phelps
Winslow McNeill

- G. DISCUSSION AND FIRST READING OF ORDINANCE 2020-03 AMENDING THE TOWN CODE BY REVISING TITLE 5 SECTION 5.20.010 AND TITLE 18, SECTION 18.08 DEFINITIONS FOR MEDICAL MARIJUANA
- H. DISCUSSION AND FIRST READING OF ORDINANCE 2020-04 ADOPTION OF THE 2012-2014 AMENDMENTS TO THE TAX CODE OF THE TOWN OF EAGAR "BY REFERENCE; ESTABLISHING EFFECTIVE DATES; PROVIDING FOR SEVERABILITY AND PROVIDING PENALTIES FOR VIOLATIONS
- I. DISCUSSION AND CONSIDERATION TO SELECT A COMPANY FOR THE TOWN OF EAGAR AUDIT SERVICES

Ms. Brady stated that the Town received three proposals for Auditing services and the bids are as follows:

Colby & Powell proposed fee \$22,500.00 for fiscal year 2020, \$23,000.00 for 2021, \$23,500.00 for 2022

HintonBurdick CPA's & Advisors proposed a fee of \$23,375 for fiscal year 2020

CWDL, Certified Public Accountants proposed fee of \$24,445.00 with option of same pricing for fiscal years 2021 and 2022

Ms. Brady stated that she recommends the Town work with Colby & Powell, PLC

Vice- mayor Steve Erhart made a motion to approve Coby and Powell for the Town of Eagar audit services with a 3-year contract. Councilor Reece Hadlock seconded; all were in favor, motion carried unanimously. 6-0

Vote: Ayes: Bryce Hamblin
Steve Erhart
Reece Hadlock
Debra Seeley
John Phelps
Winslow McNeill

- J. DISSCUSSION AND POSSIBLE ACTION FOR THE PARKING LOT LOCATED ON 2ND AVE FOR THE 1ST, 2ND, AND 3RD AVE PROJECT- ~~ITEM STRIKED~~

- K. DISCUSSION AND APPROVAL TO WAIVE PARK RENTAL FEES FOR THE FALL COMMUNITY DAY OF SERVICE EVENT OCTOBER 10, 2020- ~~ITEM STRIKED~~
- L. DISCUSSION AND CONSIDERATION TO WAIVE FEES FOR BUILDING PERMITS TO RECONSTRUCT THE BUILDING OF VETERANS OF FOREIGN WAR “VFW”

Vice- mayor Steve Erhart made a motion to approve to waive fees for building permits to reconstruct the building of Veterans of Foreign War “VFW”. Councilor Winslow McNeill seconded; all were in favor, motion carried unanimously. 6-0

Vote: Ayes: Bryce Hamblin
Steve Erhart
Reece Hadlock
Debra Seeley
John Phelps
Winslow McNeill

ITEM #11: EXECUTIVE SESSION

- A. EXECUTIVE SESSION AS ALLOWED BY A.R.S. § 38-431.03.A1 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. THE PUBLIC BODY SHALL PROVIDE THE OFFICER, APPOINTEE OR EMPLOYEE WITH WRITTEN NOTICE OF THE EXECUTIVE SESSION AS IS APPROPRIATE BUT NOT LESS THAN TWENTY-FOUR HOURS FOR THE OFFICER, APPOINTEE OR EMPLOYEE TO DETERMINE WHETHER THE DISCUSSION OR CONSIDERATION SHOULD OCCUR AT A PUBLIC MEETING – DISCUSSION OF SALARY AND CLARIFICATION OF EMPLOYMENT DUTIES OF MATT MEARS AS TOWN MANAGER
- B. EXECUTIVE SESSION AS ALLOWED BY A.R.S. § 38-431.03.A1 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. THE PUBLIC BODY SHALL PROVIDE THE OFFICER, APPOINTEE OR EMPLOYEE WITH WRITTEN NOTICE OF THE EXECUTIVE SESSION AS IS APPROPRIATE BUT NOT LESS THAN TWENTY-FOUR HOURS FOR THE

OFFICER, APPOINTEE OR EMPLOYEE TO DETERMINE WHETHER THE DISCUSSION OR CONSIDERATION SHOULD OCCUR AT A PUBLIC MEETING – CONSIDERATION RE: ASSIGNING BRITNEY REYNOLDS TO COMMUNITY DEVELOPMENT POSITION AND DISCUSSION OF SALARY.

- C. EXECUTIVE SESSION AS ALLOWED BY A.R.S. § 38-431.03.A1 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. THE PUBLIC BODY SHALL PROVIDE THE OFFICER, APPOINTEE OR EMPLOYEE WITH WRITTEN NOTICE OF THE EXECUTIVE SESSION AS IS APPROPRIATE BUT NOT LESS THAN TWENTY-FOUR HOURS FOR THE OFFICER, APPOINTEE OR EMPLOYEE TO DETERMINE WHETHER THE DISCUSSION OR CONSIDERATION SHOULD OCCUR AT A PUBLIC MEETING – DISCUSSION OF SALARY AND ASSIGNMENT OF KATE BRADY FROM TOWN CLERK TO TOWN FINANCE DIRECTOR.
- D. EXECUTIVE SESSION AS ALLOWED BY A.R.S. § 38-431.03.A1 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. THE PUBLIC BODY SHALL PROVIDE THE OFFICER, APPOINTEE OR EMPLOYEE WITH WRITTEN NOTICE OF THE EXECUTIVE SESSION AS IS APPROPRIATE BUT NOT LESS THAN TWENTY-FOUR HOURS FOR THE OFFICER, APPOINTEE OR EMPLOYEE TO DETERMINE WHETHER THE DISCUSSION OR CONSIDERATION SHOULD OCCUR AT A PUBLIC MEETING – CONSIDERATION OF ASSIGNMENT AND DISCUSSION OF SALARY OF JESSICA VAUGHAN AS TOWN CLERK.
- E. EXECUTIVE SESSION AS ALLOWED BY A.R.S. § 38-431.03.A7 DISCUSSIONS OR CONSULTATIONS WITH DESIGNATED REPRESENTATIVES OF THE PUBLIC BODY IN ORDER TO CONSIDER ITS POSITION AND INSTRUCT ITS REPRESENTATIVES REGARDING NEGOTIATIONS FOR THE PURCHASE, SALE OR LEASE OF REAL PROPERTY - NEGOTIATIONS REGARDING THE PURCHASE OF APPROXIMATELY 5 ACRES OF PROPERTY NEAR THE PUBLIC WORK YARD ON WATER CANYON ROAD FROM STEVE ERHART.

Mr. Mears reminded council that item 11E is Vice- mayor Steve Erharts property.

Vice- mayor Erhart did step out of Executive Session for item 11E [at 7:58 p.m.]

Councilor Reece Hadlock made a motion to go into Executive Session [at 7:23 p.m.] Councilor Winslow McNeill seconded; all were in favor, motion carried unanimously. 6-0

Vote: Ayes: Bryce Hamblin
Steve Erhart
Reece Hadlock
Debra Seeley
John Phelps
Winslow McNeill

Mayor Bryce Hamblin made a motion to reconvene into Regular Session [at 8:09 p.m.] Councilor Reece Hadlock seconded; all were in favor, motion carried unanimously. 5-0

Vote: Ayes: Bryce Hamblin
Reece Hadlock
Debra Seeley
John Phelps
Winslow McNeill

RECONVENE INTO REGULAR SESSION

- A. DISCUSSION AND CONSIDERATION OF ANY ACTION DEEMED NECESSARY FROM THE EXECUTIVE SESSION – ITEM A
- B. DISCUSSION AND CONSIDERATION OF ANY ACTION DEEMED NECESSARY FROM THE EXECUTIVE SESSION – ITEM B
- C. DISCUSSION AND CONSIDERATION OF ANY ACTION DEEMED NECESSARY FROM THE EXECUTIVE SESSION – ITEM C
- D. DISCUSSION AND CONSIDERATION OF ANY ACTION DEEMED NECESSARY FROM THE EXECUTIVE SESSION – ITEM D
- E. DISCUSSION AND CONSIDERATION OF ANY ACTION DEEMED NECESSARY FROM THE EXECUTIVE SESSION – ITEM E

No action taken for items A through E

ITEM #12: SIGNING OF DOCUMENTS

Necessary signatures were obtained for the Minutes of September 2020; Financial Statements for August 2020, Resolution 2020-012, Resolution 2020-13, Resolution 2020-14, Resolution 2020-15, Resolution 2020-16, Application RZ2020-02

ITEM #13: ADJOURNMENT

Vice- mayor Steve Erhart made a motion to adjourn the meeting [at 8:09 p.m.] Councilor Reece Hadlock seconded; all were in favor, motion carried unanimously. 6-0

Vote: Ayes: Bryce Hamblin
Steve Erhart
Reece Hadlock
Debra Seeley
John Phelps
Winslow McNeill

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 Special Council Meeting of the Town of Eagar, Arizona held on October 6, 2020. I further certify that the meeting was duly called and held and that a quorum was present.

Jessica Vaughan, Town Clerk/Event Coordinator