

MINUTES

TOWN OF MIAMI

REGULAR MEETING OF THE MAYOR AND COUNCIL MONDAY, AUGUST 11, 2014 AT 6:30 PM

1. CALL TO ORDER:

Mayor Castaneda calls meeting to order at 6:30 pm.

2. PLEDGE OF ALLEGIANCE/INVOCATION:

Mayor Castaneda led the pledge of allegiance, followed by the invocation.

3. ROLL CALL OF COUNCIL MEMBERS:

PRESENT: Mayor Castaneda, Vice Mayor Hanson, Councilmember Black, Councilmember Dalley and Councilmember Gonzales (arriving at 6:35 p.m.).

ABSENT: Councilmember Baeza and Councilmember Reiman.

STAFF PRESENT: Town Manager Heatherly, Town Attorney Smiley, Town Clerk Norris, Librarian Delvan Hayward, Engineering Department Paul Curzon, Public Works Director Sukosky and Police Chief Gillen.

4. CONSENT AGENDA:

- A. Consideration and possible action to approve Minutes of July 28, 2014 Special Council Meeting.
- B. Consideration and possible action to approve the Town Payroll for July 24, 2014 to August 6, 2014.

Councilmember Dalley motioned to approve the consent agenda. Motion seconded by Vice Mayor Hanson. Mayor Castaneda calls for the vote. Vote – 4 in favor and 3 members absent (Councilmember Baeza, Councilmember Gonzales and Councilmember Reiman). **MOTION PASSED.**

Councilmember Gonzales arrives at 6:35 p.m.

5. APPROVAL OF DEMANDS AND PRESENTATION OF BUDGET REPORTS:

- A. Consideration and possible action to approve General Demands for July 24, 2014 to August 6, 2014.

Councilmember Black questions if there will be a complete financial report, showing where the Town stands financially; a complete overview. Town Attorney Smiley states this item is just to approve the General Demands, if Councilmember Black would like to discuss that issue, it should be put on the

agenda for discussion. Councilmember Black states that he would like to put this on the next agenda for discussion. Vice Mayor Hanson motioned to approve General Demands for July 24, 2014 to August 6, 2014. Motion seconded by Councilmember Dalley. Mayor Castaneda calls for the vote. Vote 5 in favor and 2 members absent (Councilmember Baeza and Councilmember Reiman). MOTION PASSED.

B. Consideration and possible action to approve Revenues, Deposits and Bank Balances for General Fund and Payroll Accounts for July 2, 2014 to August 6, 2014.

It is noted that the report submitted in the Council packets is only for July 1 through July 31, 2014. Mayor Castaneda states that she would like for this report broken down by departments so Council can see each of the departments separately. Councilmember Dalley motioned to approve revenues, deposits and bank balances for general fund and payroll accounts for July 1, 2014 through July 31, 2014. Motion seconded by Vice Mayor Hanson. Mayor Castaneda calls for the vote. Vote – 5 in favor and 2 members absent (Councilmember Baeza and Councilmember Reiman). MOTION PASSED.

6. REPORTS / RECOGNITIONS:

A. Department Reports.

Librarian Delvan Hayward reports on library statistics and activities. The Summer Reading Program is complete. Reports on special library loans for the museum to scan; science kits that were received from the State Library; Public Works trimmed the trees and cleaned outside around the library.

Paul Curzon gives the Code Enforcement and Engineering report. Mr. Curzon updates Council on the Sign Project, IGA regarding the bridge inspection fees, retaining wall for Orphan Ave and Phase II easements.

Police Chief Gillen gives the Police Department activity and statistic reports. Reports that Detective Rodriguez suffered smoke inhalation while assisting at a recent house fire and was treated at the hospital and is doing well. Comments that the pool incident report is completed and submitted to the County Attorney. Reports briefly on National Night Out.

Town Manager Heatherly gives a brief Public Works report. Reports that Public Works have been cleaning up after the storms and worked hard to get the pool re-opened in time for Vandal Bash.

B. Town Manager Report.

Town Manager Heatherly comments regarding the house fire that occurred on Friday. Discussed the need to look at fire support for the Town and thanks everyone from the Town who came out to help. Comments regarding wastewater treatment plant samples reports. Has been working with staff to identify problems. Discusses briefly that he has been reviewing revenues vs. expenditures.

C. Mayor/Council Reports.

Vice Mayor Hanson comments that there is only 1 more Music in the Park this summer and that Fiesta is coming up fast, it is scheduled for September 13th.

Councilmember Gonzales thanks staff and Public Works Department for working hard to have the pool ready for Vandal Bash. Comments regarding Vandal Bash being an important event for the kids and it was a success again this year.

Mayor Castaneda reports briefly on the Rural Arizona Forum held at Bullion Plaza Museum and Gym. It was well attended with over 250 attendees. Thanks Public Works for helping with the signage for the event.

7. CALL TO THE PUBLIC:

Mr. Jose Angel Medina – Miami resident – comments regarding recent Town of Miami events putting Miami on the map in a positive way. Comments regarding showing respect with the flag. Comments regarding the passing of Arizona Senator Chester Crandell. Comments regarding upcoming Town events.

8. UNFINISHED BUSINESS:

A. Information, discussion and possible action: To provide direction to the Town Attorney in the matter of the acquisition of easements for sewer purposes on properties owned by Bennu Properties, LLC. and Sho Me Copper over real property identified as Gila County Assessors Parcels 204-14-012D, 204-14-013A and 204-16-031 in Miami.

- a) The Miami Town Council may vote to recess the public meeting and hold an Executive Session pursuant to A.R.S. 38-431.03 (A)(4) for discussion or consultation with the Town Attorney and in order to consider its position and instruct the Town Attorney regarding the Town's position in contemplated litigation or in settlement discussions conducted in order to avoid litigation in the matter of the acquisition of easements for sewer purposes on properties owned by Bennu Properties, LLC. and Sho Me Copper, and pursuant to A.R.S. § 38-431.03(A)(7) for discussions or consultations with designated representatives of the Town in order to consider its position and instruct its representatives regarding negotiations for the purchase of easements over real property identified as Gila County Assessors Parcels 204-14-012D, 204-14-013A and 204-16-031 in Miami.

Councilmember Dalley motioned to move Item 8A to the last item on the agenda. Motion seconded by Vice Mayor Hanson. Mayor Castaneda calls for the vote. Vote – 5 in favor and 2 members absent (Councilmember Baeza and Councilmember Reiman). **MOTION PASSED.**

B. Information, discussion and possible action: To approve an employment contract with Mr. Heatherly as Town Manager.

Mayor Castaneda reviews the contract with Town Manager Joseph Heatherly. Councilmember Black comments regarding the severance package. Brief discussion and explanation of the severance package. Vice Mayor Hanson motioned to approve an employment contract with Mr. Heatherly as Town Manager. Motion seconded by Councilmember Dalley. Mayor Castaneda calls for the vote. Vote – 4 in favor, 1 member opposed (Councilmember Black) and 2 members absent (Councilmember Baeza and Councilmember Reiman). **MOTION PASSED.**

- C. Information, discussion and possible action:** To approve Resolution No. 1150; Levying upon the assessed valuation of property within the Town of Miami subject to taxation, a certain sum of money for FY 2014/2015 to be assessed against the valuation of real property for primary tax purposes and repealing Resolution No. 1149. The purpose of this action is to correct a typographical error in the tax rate as set forth in Resolution No. 1149.

Town Clerk Norris presents this item to Council, explaining there is a minor typo in Resolution No. 1149 and this Resolution will be correcting that. The typo is in Section 1, stating the tax levy estimate was \$4.13 but should be \$4.6958. Vice Mayor Hanson motioned to approve Resolution No. 1150; Levying upon the assessed valuation of property within the Town of Miami subject to taxation, a certain sum of money for FY 2014/2015 to be assessed against the valuation of real property for primary tax purposes and repealing Resolution No. 1149. The purpose of this action is to correct a typographical error in the tax rate as set forth in Resolution No. 1149. Motion seconded by Mayor Castaneda. Mayor Castaneda calls for the vote. Vote – 5 in favor and 2 members absent (Councilmember Baeza and Councilmember Reiman). MOTION PASSED.

- D. Information, discussion and possible action:** To review and provide direction to staff regarding proposed amendment to the Town of Miami Town Code to add Title 11 – Parks and Recreation Regulations.

Town Attorney Smiley presents this item to Council. Town Attorney Smiley comments that she had provided Council with a draft at a previous Council meeting. Council provided her with additions/changes/corrections that they would like to be put in the Rules and Regulations. The draft before Council tonight shows those changes. Brief discussion regarding penalties. Town Attorney Smiley states that the Ordinance formally adopting this will provide for penalties. Town Attorney Smiley states the Ordinance will need to be published and posted because it does provide for penalties. Open discussion regarding hours of the park. Councilmember Gonzales questions the section that addresses animals in the park; there are two sections that sort of contradict each other. Town Attorney Smiley notes the sections and will make that correction. Brief discussion regarding the use of portable structures in the park. Town Attorney Smiley states the section covering Reservation Permits covers that issue. This item will come back before Council for formal approval at the next Council meeting.

9. NEW BUSINESS:

- A. Information, discussion and possible action:** To instruct Town Staff to develop an Employee Recognition Program.

Vice Mayor Hanson presents this item to Council. Vice Mayor Hanson comments that she would like staff to develop a program to recognize employees for going above and beyond duties and who have done an outstanding job. Vice Mayor Hanson states at this time she would like to recognize employee Tylor Schlink. Mr. Schlink researched at home and also went around town and found the infiltration spot where Desert Fox had punctured one of our sewer lines and was contaminating the Town sewer lines and sewer plant. Mayor Castaneda agreed that it is a good idea to recognize our employees who have done something outstanding for the town and recognize their efforts. Vice Mayor Hanson motioned to instruct Town Staff to develop an Employee Recognition Program.

Motion seconded by Councilmember Gonzales. Mayor Castaneda calls for the vote. Vote – 5 in favor and 2 members absent (Councilmember Baeza and Councilmember Reiman). MOTION PASSED.

B. Information, discussion and possible action: To approve proposal to have Bullion Plaza Gym certified by the American Red Cross as an Emergency Shelter.

Mr. Elvin Fant presents this request to Council. Mr. Fant explains to Council that there has been a request from the American Red Cross for a Command Response Team. Mr. Fant comments regarding the Command Response Team. He is here as part of the Team to request use of a facility as a shelter in case of an emergency. Discussion regarding the Fair Grounds being the only American Red Cross facility in the area. Open discussion and comments regarding Bullion Plaza Gym being in a flood zone area. Councilmember Dalley questions what is the EMP Alliance and are they a designated 501(c)(3). Mr. Fant states no they are not and explains that they are volunteers only and do not take donations of cash or otherwise. Councilmember Dalley asks Mr. Fant if he has any information to provide to Council from the American Red Cross regarding this request. Mr. Fant states that right now they are just asking Council to agree to work with the American Red Cross to certify Bullion Plaza Gym as a designated disaster center. Councilmember Black elaborates on the EMP services, what their purpose is and what it is that they are requesting. Brief discussion regarding the Town already having an emergency plan in place. Staff will need to look into that. Vice Mayor Hanson states that she would like to see a proposed use of this facility; in writing. Councilmember Gonzales agrees with Mayor Castaneda regarding the flooding issue. Discussion regarding looking at Inspiration School as the facility. Mr. Fant states at this time they are just looking for cooperation from the Town of Miami. Brief discussion regarding who declares an emergency. Vice Mayor Hanson motioned to table this item until there is a proposal from the American Red Cross presented to Council. Motion seconded by Councilmember Dalley. Mayor Castaneda calls for the vote. Vote – 5 in favor and 2 members absent (Councilmember Baeza and Councilmember Reiman). MOTION PASSED – ITEM TABLED.

Council returns to Unfinished Business A

Vice Mayor Hanson motioned to recess into Executive Session. Motion seconded by Councilmember Dalley. Mayor Castaneda calls for the vote. Vote – 4 in favor, Councilmember Black recues from this item and does not attend the executive session and 2 members absent (Councilmember Baeza and Councilmember Reiman). MOTION PASSED. 7:50 p.m.

Council returns from executive session. All Councilmembers present and Councilmembers Baeza and Reiman are absent. 8:08 p.m.

10. CALL TO THE COUNCIL:

Mayor Castaneda announces the Arizona League of Cities and Towns Conference is next week and the last Music in the Park is on the 23rd.

Town Manager Joseph Heatherly states that he will be out of the office next week, he let Council know that he needed this week off before he was formally hired.

11. ADJOURNMENT:

Councilmember Black motioned to adjourn the meeting. Motion seconded by Vice Mayor Hanson. Mayor Castaneda calls for the vote. Vote - 5 in favor and 2 members absent (Councilmember Baeza and Councilmember Reiman). MOTION PASSED.

Meeting adjourned at 8:15 p.m.

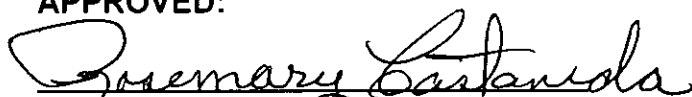
CERTIFICATION:

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular meeting of the Town Council of the Town of Miami, AZ held on the 11th day of August 2014. I further certify that the meeting was duly called and that a quorum was present.

DATED this 25th day of August 2014.


Karen Norris, Town Clerk

APPROVED:


Rosemary Castaneda, Mayor