

# MINUTES

## TOWN OF MIAMI SPECIAL MEETING OF THE MAYOR AND COUNCIL MONDAY, DECEMBER 22, 2014 AT 6:30 P.M.

### 1. CALL TO ORDER:

Mayor Dalley called the meeting to order at 6:30 p.m.

### 2. PLEDGE OF ALLEGIANCE/INVOCATION:

Mayor Dalley led the pledge and Councilmember Medina led the invocation.

### 3. ROLL CALL OF COUNCILMEMBERS:

**Present:** Mayor Dalley, Vice Mayor Reiman, Councilmember Black, Councilmember Castaneda, Councilmember Gonzales, Councilmember Hanson and Councilmember Medina.

**Staff Present:** Town Manager Heatherly, Town Attorney Smiley, Police Chief Gillen, Finance Director Rachelle Sanchez, Public Works Director Sukosky, Engineering Tech Curzon and Town Clerk Norris.

### 4. CONSENT AGENDA: *All items listed below are considered consent calendar items and may be approved by a single motion unless removed at the request of a Councilmember for further discussion/action. Other items on the agenda may be added to the consent calendar and approved under a single motion.*

- A. Consideration and possible action to approve Minutes of the December 4, 2014 Work Session.
- B. Consideration and possible action to approve Minutes of the December 8, 2014 Regular Meeting.
- C. Consideration and possible action to approve Minutes of the December 10, 2014 Special Meeting.
- D. Consideration and possible action to approve 2015 Year of Reading Proclamation.
- E. Consideration and possible action to approve the Town Payroll for November 23, 2014 to December 7, 2014.

Councilmember Castaneda motioned to approve the Consent Agenda. Motion seconded by Councilmember Medina. Mayor Dalley calls for the vote. Vote – 7 in favor. MOTION PASSED.

### 5. APPROVAL OF DEMANDS:

- A. Consideration and possible action to approve the General Demands for December 3, 2014 to December 17, 2014.

Brief discussion regarding various demands. Councilmember Castaneda motioned to approve the General Demands for December 3, 2014 to December 17, 2014. Motion seconded by Councilmember Medina. Mayor Dalley calls for the vote. Vote – 7 in favor. MOTION PASSED.

**B. Consideration and possible action to review and discuss the Revenues, Expenditure Reports and Bank Balances for activities through November 2014.**

Town Manager Heatherly asks that this item be tabled until next month. They had some issue with getting data and with double entries so it needs to be cleaned up. Councilmember Black motioned to table this item. Motion seconded by Vice Mayor Reiman. Mayor Dally calls for the vote. Vote – 7 in favor. MOTION PASSED – ITEM TABLED.

**6. REPORTS / RECOGNITIONS:**

**A. Department Reports:**

Public Works, Wes Sukosky reports that the Public Works Department has been out cleaning and preparing for possible winter storms; working on several streets and putting down some millings on bad roads and working on sewer call outs. Updates Council on the repair of the pump at the treatment plant that has been down. Reports that they have also been busy cleaning up the parks.

Police Department, Chief Gillen gives the Police Department statistics and activity report. Reports that the Kearny cadet has finished his training and the Police Department will start training another one in about a week.

Engineering Department, Paul Curzon reports there has been some talks with a large solar company regarding working with the Town in hopes of the Town receiving free solar power; will update Council as that may progress. Reports that he has had some discussions with CAG regarding obtaining some safety money. Reports that CAG has reviewed the maps for accuracy and they are going to print.

Town Manager Heatherly reports that everything is going well at the Library. Mr. Ed Pastor was there to look at items he donated that had been damaged. Mr. Mike Pastor visited the Library as well as other members of the Hall of Fame. The Senior Center had its holiday luncheon today; it went very well. Reports that the confection oven and freezer need some repairs.

**B. Town Manager Reports:**

Town Manager Heatherly reports that he met with WIFA, engineering consultants and financial advisors and they are concerned with the progress of the project and the Town's lack of ability to get the audits completed and getting the reserves in place. They are happy with that the Town has completed the rate study and Notice of Intent. Will be looking at revisions on how to address the loan defaults on the loan covenants; will consider a contract amendment. Town Manager Heatherly reports that he is still working on the audits, have been working with the auditor to locate needed information.

### C. Mayor/Council Reports:

Councilmember Castaneda comments that she seen in the Arizona Republic Best Lawyers Catalog that the Town Attorneys, Curtis, Goodwin, Sullivan, Udall & Schwab, were listed. Councilmember Castaneda congratulates them.

Councilmember Medina comments on his attendance at the Newly Elected Officials Training. Comments regarding Councils working together as a team. Councilmember Medina also comments regarding an organization meeting of the Royal Order of the Moose and expresses thanks to the Town and community for their support of their Christmas party, had over 200 children.

Mayor Dalley comments that he had a great time at the Senior Center luncheon. Mayor Dalley comments briefly regarding the Newly Elected Officials Training that he attended and that he has training information if anyone would like to see it.

### 7. CALL TO THE PUBLIC:

Mr. Jon Cornell of KQSS announces that Mr. Bill Taylor has passed away, will be a memorial service at Bullion Plaza on the 14<sup>th</sup> or 15<sup>th</sup>.

Mrs. Jennifer Curzon, Globe resident, presents former Mayor Rosemary Castaneda with a gift from Santa Clause; it was a framed engineering certificate from the Arizona Association of County Engineers that had belonged to her father.

### 8. UNFINISHED BUSINESS:

- A. Information, discussion and possible action:** To review and approve the FEMA alternative or proposal to replace or repair the Mackey's Camp Crossing and to provide direction and authorization to the Town Manager to work with associated agencies regarding the project.

Public Works Director, Wes Sukosky presents this item to Council. Mr. Sukosky explains that this has been 5 years in the making; gives a brief history of the project. Met with FEMA on Friday and we are almost out of the environmental phase of the project. Right now staff is asking Council's permission to continue to pursue this project. It is explained that the plans are preliminary but will come back before Council for approval when they are updated. Town Manager Heatherly explains that there is some concern that the numbers will go up but we won't know how much until it actually goes out to bid. Discussion and comments regarding the concern that the pipes may be too small. Brief discussion regarding the need to look at the capital cost and the operating costs. Discussion regarding how much the water flow has changed. Discussion regarding the funding issues of this project. The Town will be responsible for 10 percent of the project cost. Brief discussion and concern regarding a resident that lives out there that has heavy equipment and would that equipment cause damage to the crossing. It is stated that it would and the resident would have to be informed that he cannot take his equipment across that bridge without breaking the equipment down first. He will be held responsible if he causes damage to the crossing. Discussion regarding whether or not the bridge is actually located within the Town of Miami limits. Discussion regarding surveying the area to

determine that for sure. It is possible that if it is within the County, the County may be able to pick up the 10 percent cost. Discussion regarding the County is working with the Town on this project with several things, mainly technical. Councilmember Black motioned to allow Wes and Paul to go ahead and move forward with the Mackey's Camp Bridge Crossing with FEMA and whatever else they need to do to continue what we are doing with it. Motion seconded by Councilmember Medina. Town Attorney comments that she has a problem with the motion because it is not specific enough, needs more information or direction. Discussion regarding the documentation in the Council packets is from 2010 and 2011, not sure that documentation was even approved. Councilmember Black states that he will change his motion and motions to approve Mackey's Camp Bridge Crossing alternative and have them work with FEMA, the County and any other agency that is working with this bridge which would be also Shome Copper and the engineers with the County so we can move forward. Town Attorney Smiley states that motion will not work because there is no FEMA alternative, there is no document that sets forth what is the FEMA document, Shome Copper is a defunct corporation, so you can't work with Shome Copper. Town Manager Heatherly states what they were trying to get approved is this plan with the low water crossing at the 36 inch pipes and to get with the representatives of Shome Copper in order to get the property transferred over and then start the negotiation with all the agencies associated with this project. Town Attorney Smiley state she believes the motion should be to direct staff to continue working with FEMA on this alternative bridge crossing and to bring it back to Council when more details are available. Councilmember Black states "so moved". Motion seconded by Councilmember Medina. Councilmember Gonzales questions the maintenance of the 4 36 inch pipes instead of the 4 96 inch pipes; what is the difference. Town Manager Heatherly explains that the main reason was cost, initially. If the Town now decides to go with the 96, it will probable delay the project up to 6 months. A lot of the environmental may need to be redone because of the footprint, it will tremendously change the cost. Town Manager Heatherly believes the capital cost is what initially pushed them to go with the 36, but now it is a timing issue as well. Town Manager Heatherly states that he threw out the maintenance because the Town should be concerned about it; how is the Town going to maintain and clean them out. It is not something the Town can't deal with, but should definitely look at it. Discussion regarding the time delays if they wish to change the piping to the lager pipes. It has been determined that the smaller pipes would work, and the Town would not be sacrificing a lot. Brief discussion regarding delays in the project will be expensive. Brief discussion regarding surveying the property to determine if it lies within the Town of Miami Town limits. Mayor Dalley calls for the vote. Vote – 7 in favor. MOTION PASSED.

**9. NEW BUSINESS:**

- A. Information, discussion and possible action:** To approve payment application for AMEC, subject to funding agency concurrence, in the amount of \$41,034.37 for one month of Design, Program Management and Construction Management Services (\$8,860.08 due from WIFA; \$32,174.29 due from USDA), as recommended by the Wastewater Advisory Board.

Town Manager Heatherly presents this item to Council and reviews the payment application for AMEC. Brief discussion regarding this payment application and not seeing a lot of work being done; what is the Town paying for. Brief discussion regarding the easements. Discussion regarding how

the money processes through the AMEC and Hilgart/Wilson. Discussion regarding how much WIFA money is left; approximately \$160,000.00. Councilmember Castaneda motioned to approve payment application for AMEC, subject to funding agency concurrence, in the amount of \$41,034.37 for one month of Design, Program Management and Construction Management Services (\$8,860.08 due from WIFA; \$32,174.29 due from USDA), as recommended by the Wastewater Advisory Board. Motion seconded by Councilmember Medina. Mayor Dalley calls for the vote. Vote – 6 in favor, 1 member opposed (Councilmember Black). MOTION PASSED.

**B. Information, discussion and possible action:** To approve Ordinance No. 342; Amending the code of Miami, Arizona, Title 2 Administration and Personnel, by amending Chapter 2.04 Town Council, Section 2.04.010 Selection of Mayor; related to assumption of office of newly elected Councilmembers and the selection of the Mayor after the date of the General Election as held under the State Consolidated Election Schedule.

Town Manager Heatherly presents this item to Council and explains it is basically a housekeeping item to keep up with the state consolidated election changes. Councilmember Medina motioned to approve Ordinance No. 342; Amending the code of Miami, Arizona, Title 2 Administration and Personnel, by amending Chapter 2.04 Town Council, Section 2.04.010 Selection of Mayor; related to assumption of office of newly elected Councilmembers and the selection of the Mayor after the date of the General Election as held under the State Consolidated Election Schedule. Motion seconded by Councilmember Black. Mayor Dalley calls for the vote. Vote – 7 in favor. MOTION PASSED.

**10. CALL TO THE COUNCIL:**

Mayor Dalley wishes everyone a Merry Christmas and Happy New Year.

Councilmember Castaneda reminds every one of the New Year's Eve dance to benefit the Miami Volunteer Fire Department. The event is being put on by Miami Genesis.

**11. ADJOURNMENT:** Councilmember Black motioned to adjourn the meeting. Motion seconded by Councilmember Medina. Mayor Dalley calls for the vote. Vote – 7 in favor. MOTION PASSED.

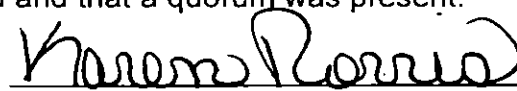
Adjourned 7:27 p.m.

**CERTIFICATION:**

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Special meeting of the Town Council of the Town of Miami, AZ held on the 22<sup>nd</sup> day of December 2014.

I further certify that the meeting was duly called and that a quorum was present.

DATED this 12<sup>th</sup> day of January 2015.

  
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Karen Norris, Town Clerk

**APPROVED:**  
  
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Darryl Dalley, Mayor