

MINUTES

TOWN OF MIAMI

REGULAR MEETING OF THE MAYOR AND COUNCIL MONDAY, JULY 13, 2015 AT 6:30 PM

1. CALL TO ORDER:

Mayor Dalley calls the meeting to order at 6:30 pm.

2. PLEDGE OF ALLEGIANCE/INVOCATION:

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

3. ROLL CALL OF COUNCIL MEMBERS:

PRESENT: Mayor Dalley, Vice Mayor Reiman (telephonically), Councilmember Castaneda and Councilmember Hanson.

ABSENT: Councilmember Black, Councilmember Gonzales and Councilmember Medina.

STAFF PRESENT: Town Manager Heatherly, Town Attorney Smiley, Town Clerk Norris, Development Services Department Paul Curzon, Pool Manager Hannah Sartain, and Police Chief Gillen.

4. CONSENT AGENDA:

- A. Consideration and possible action to approve Minutes of the June 17, 2015 Budget Work Session Meeting.
- B. Consideration and possible action to approve Minutes of the June 22, 2015 Special Council Meeting.
- C. Consideration and possible action to approve the Town Payroll for June 21, 2015 to July 5, 2015.

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

5. APPROVAL OF DEMANDS AND PRESENTATION OF BUDGET REPORTS:

- A. Consideration and possible action to approve the General Demands for June 19, 2015 to July 10, 2015.

Councilmember Castaneda motioned to approve the demands and presentation of budget reports as presented. Motion seconded by Councilmember Hanson. Mayor Dalley calls for the vote. Vote – 4 in favor and 3 members absent (Councilmember Black, Councilmember Gonzales and Councilmember Medina). MOTION PASSED.

6. REPORTS / RECOGNITIONS:

A. Department Reports.

Pool Manager, Hannah Sartain reports on a rescue at the swimming pool and lifeguard training. Reports on the swimming pool revenues and attendance counts.

Development Services Department, Paul Curzon gives a brief pool maintenance report, National Fire Protection Agency issues being identified and corrected, looking into solar power grant projects. Gives a brief update on the regulatory sign project, Merritt Ramp Project and Southwest Risk site visit.

Police Chief Gillen reports on the Police Department's activity and statistics.

B. Town Manager Report.

Town Manager Heatherly reports on Public Works activity. Gives a brief update on the Merritt Ramp Project and engineering services. Gives a brief update on the audits and where the Town is with the requests from USDA.

C. Mayor/Council Reports. None

7. CALL TO THE PUBLIC: No response.

8. UNFINISHED BUSINESS: None.

9. NEW BUSINESS:

A. Information, discussion and possible action: To approve Town of Miami's Tentative Budget for Fiscal Year 2015/2016, set a public hearing date for the Town Council to hear taxpayers on the adoption of the final budget and to direct staff to publish the Tentative Budget (estimates of revenues and expenses) along with a notice of public hearing.

Town Manager Heatherly presents the tentative budget to Council. Town Manager Heatherly states that although there was not a quorum to hold the budget worksession, the members that were present were able to review the proposed tentative budget and ask questions. Town Manager Heatherly briefly reviews and summarizes the tentative budget. Councilmember Hanson motioned to approve the tentative budget for fiscal year 2015-2016 and to set a public hearing date of August 3rd at 6:30 p.m. Motion seconded by Councilmember Castaneda. Mayor Dalley calls for the vote. Vote – 4 in favor and 3 members absent (Councilmember Black, Councilmember Gonzales and Councilmember Medina). MOTION PASSED.

B. Information, discussion and possible action: To approve Resolution No. 1162, authorizing the Town Manager to execute an IGA between the Town of Miami and State of Arizona Department of Revenue for the administration, collection, audit, and licensing of transaction privilege taxes, use taxes, severance taxes, jet fuel excise and use taxes and rental occupancy taxes imposed by the State, Cities or Towns.

Town Clerk Karen Norris presents this resolution to Council. Councilmember Castaneda motioned to approve Resolution No. 1162, authorizing the Town Manager to execute an IGA between the Town of Miami and State of Arizona Department of Revenue for the administration, collection, audit, and licensing of transaction privilege taxes, use taxes, severance taxes, jet fuel excise and use taxes and rental occupancy taxes imposed by the State, Cities or Towns. Motion seconded by Councilmember Hanson. Mayor Dalley calls for the vote. Vote – 4 in favor and 3 members absent (Councilmember Black, Councilmember Gonzales and Councilmember Medina). MOTION PASSED.

C. Information, discussion and possible action: To review property appraisal and bids received and to approve the sale of the property located at 196 N. Keystone Avenue to the highest bidder or reject all bids and direct staff to go out for bid again.

Town Manager Heatherly presents this item to Council. He explains that one of the main concerns with the sale was if ADOT would approve of the sale due to it being the transit yard. Town Manager Heatherly states that he investigated the matter and ADOT just requested the Town have use of the fenced parking area for the vans. The purchaser agreed to lease the lot to the Town for 3 years at a rate of \$1.00 per year, after the 3rd year the Town will pay \$600 per year for years 3 through 10. There are no deed issues with the strip of property that was donated, which is included in the sale. There are no restrictions or issues regarding the building and the Brownsfield Grant. Councilmember Hanson motioned to accept this bid and approve the sale to the Webbs. Motion seconded by Councilmember Castaneda. Mayor Dalley calls for the vote. Vote – 4 in favor and 3 members absent (Councilmember Black, Councilmember Gonzales and Councilmember Medina). MOTION PASSED.

D. Information, discussion and possible action: To approve installing a fence around the Miami Veterans Memorial park.

Mayor Dalley presents this item to Council. Mayor Dalley reads a statement aloud that he wrote as to why he is requesting this action. Mayor Dalley comments regarding other facilities that the Town owns such as the museum, the gym, the pool and basketball court. These facilities are all locked and/or fenced to protect them. Mayor Dalley comments regarding the excessive vandalism in the park and how expensive all the cleanup is. Mayor Dalley states that he feels that having a fence would limit access to the park and require operating hours for the park. Mayor Dalley comments regarding the cameras that were installed in the park to help deter the vandalism but they are not monitored and they have been vandalized as well. Mayor Dalley asks if it would be possible to have the Police Department and Town Manager to work together to come up with a plan to present to Council to control the graffiti and vandalism in the park. Councilmember Castaneda comments regarding the gym and the grants given to remodel the gym. The gym is to be used as a venue for the citizens to rent. Open discussion and comments regarding the vandalism being a serious issue with the park. The general consensus is that a fence will not solve this problem. Several business owners and citizens comment

regarding their opposition to a fence and give suggestions as to how to cut down the problem; block watch programs, more police patrol, enforcing the Town's curfew, fixing and monitoring the cameras and prosecuting the perpetrators and/or their parents. Brief discussion regarding the cost of a fence and could the Town afford that expense. Open discussion and comments regarding not being able to prosecute the juveniles that get caught doing the vandalism; working with the County to get cooperation when prosecuting juveniles. It is also pointed out that the park is poorly lit and that rebuilding the wall along the creek may take away some of the darker access areas. No action taken at this time.

E. Information, discussion and possible action: To approve payment application for AMEC, subject to funding agency concurrence, in the amount of \$38,945.54 for one month of Program Management and Construction Management Services (\$7,649.29 due from WIFA; \$31,296.25 due from USDA), as recommended by the Wastewater Advisory Board.

Councilmember Castaneda motioned to approve payment application for AMEC, subject to funding agency concurrence, in the amount of \$38,945.54 for one month of Program Management and Construction Management Services (\$7,649.29 due from WIFA; \$31,296.25 due from USDA), as recommended by the Wastewater Advisory Board. Motion seconded by Councilmember Hanson. Mayor Dalley calls for the vote. Vote – 4 in favor and 3 members absent (Councilmember Black, Councilmember Gonzales and Councilmember Medina). MOTION PASSED.

F. Information, discussion and possible action: To approve payment application for Curtis, Goodwin, Sullivan, Udall and Schwab, subject to funding agency concurrence, in the amount of \$14,696.46 for Legal Services (\$7,207.86 due from WIFA; \$7,488.60 due from USDA), as recommended by the Wastewater Advisory Board.

Councilmember Hanson motioned to approve payment application for Curtis, Goodwin, Sullivan, Udall and Schwab, subject to funding agency concurrence, in the amount of \$14,696.46 for Legal Services (\$7,207.86 due from WIFA; \$7,488.60 due from USDA), as recommended by the Wastewater Advisory Board. Motion seconded by Councilmember Castaneda. Mayor Dalley calls for the vote. Vote – 4 in favor and 3 members absent (Councilmember Black, Councilmember Gonzales and Councilmember Medina). MOTION PASSED.

G. Information, discussion and possible action: To approve payment application for Town of Miami, subject to funding agency concurrence, in the amount of \$4,904.55 due from WIFA for work performed by Dale Metz for the Phase 3-5 easement acquisitions, as recommended by the Wastewater Advisory Board.

Councilmember Castaneda motioned to approve payment application for Town of Miami, subject to funding agency concurrence, in the amount of \$4,904.55 due from WIFA for work performed by Dale Metz for the Phase 3-5 easement acquisitions, as recommended by the Wastewater Advisory Board. Motion seconded by Councilmember Hanson. Mayor Dalley calls for the vote. Vote – 4 in favor and 3 members absent (Councilmember Black, Councilmember Gonzales and Councilmember Medina). MOTION PASSED.

H. Information, discussion and possible action: To approve proceeding with the Mackey Camp Crossing project.

Town Manager Heatherly presents this item to Council. He explains that FEMA has given the Town a \$400,000 grant for a low water crossing. The grant requires a 10% contribution from the Town and it cannot be "in-kind" and the Town just does not have it. Gila County has agreed to assist the Town and proposes to put up most of the money and loan the Town approximately \$16,000.00. The Town will be required to pay Gila County back with the fees the Town collects from the ½ cent sales tax. Councilmember Castaneda motioned to approve proceeding with the Mackey Camp Crossing project with the help from Gila County as requested. Motion seconded by Councilmember Hanson. Mayor Dalley calls for the vote. Vote – 4 in favor and 3 members absent (Councilmember Black, Councilmember Gonzales and Councilmember Medina). MOTION PASSED.

I. Information, discussion and possible action: To recess the regular meeting and hold an executive session pursuant to A.R.S. §38-431.03 (A) (4) for discussion or consultation with the Town Attorney regarding the Town's position in pending litigation and settlement discussions conducted in order to resolve litigation in the matter Town of Miami v. Sho Me Copper Company, et al.

Councilmember Castaneda motioned to table this item until the next Council meeting. Motion seconded by Councilmember Hanson. Mayor Dalley calls for the vote. Vote – 4 in favor and 3 members absent (Councilmember Black, Councilmember Gonzales and Councilmember Medina). MOTION PASSED – ITEM TABLED.

10. CALL TO THE COUNCIL:

Councilmember Castaneda comments regarding Concert in the Park that was held last Saturday; it was very good; they have Concerts in the Park every 2 weeks.

Councilmember Hanson announces that Capstone/Pinto Valley Mine was the sponsor of the last concert in the park.

11. ADJOURNMENT:

Councilmember Castaneda motioned to adjourn the meeting. Motion seconded by Councilmember Hanson. Mayor Dalley calls for the vote. Vote – 4 in favor and 3 members absent (Councilmember Black, Councilmember Gonzales and Councilmember Medina). MOTION PASSED.

Meeting adjourned at 7:55 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 13th day of July, 2015.

I further certify that the meeting was duly called and that a quorum was present.
DATED this 27th day of July 2015.



Karen Norris, Town Clerk

APPROVED:



Darryl Dalley, Mayor