

# MINUTES

## TOWN OF MIAMI

### REGULAR MEETING OF THE MAYOR AND COUNCIL MONDAY, SEPTEMBER 14, 2015 AT 6:30 PM

**1. CALL TO ORDER:**

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

**2. PLEDGE OF ALLEGIANCE/INVOCATION:**

Vice Mayor Reiman led the pledge of allegiance, followed by Councilmember Medina leading the invocation.

**3. ROLL CALL OF COUNCIL MEMBERS:**

**PRESENT:** Mayor Dalley (telephonically), Vice Mayor Reiman, Councilmember Castaneda, Councilmember Gonzales (arriving at 7:20 p.m.), Councilmember Hanson and Councilmember Medina.

**ABSENT:** Councilmember Black.

**STAFF PRESENT:** Town Manager Heatherly, Town Attorney Goodwin, Town Clerk Norris, Librarian Delvan Hayward and Police Chief Gillen.

**4. CONSENT AGENDA:**

- A. Consideration and possible action to approve Minutes of the August 24, 2015 Special Council Meeting.
- B. Consideration and possible action to approve the Town Payroll for August 30, 2015.

Councilmember Medina motioned to approve the consent agenda. Motion seconded by Councilmember Hanson. Vice Mayor Reiman calls for the vote. Vote – 5 in favor and 2 members absent (Councilmember Black and Councilmember Gonzales). **MOTION PASSED.**

**5. APPROVAL OF DEMANDS AND PRESENTATION OF BUDGET REPORTS:**

- A. Consideration and possible action to approve the General Demands for August 21, 2015 to September 4, 2015.

Councilmember Medina motioned to approve the demands for August 21, 2015 to September 4, 2015. Motion seconded by Councilmember Hanson. Vice Mayor Reiman calls for the vote. Vote – 5 in favor and 2 members absent (Councilmember Black and Councilmember Gonzales). **MOTION PASSED.**

## **6. REPORTS / RECOGNITIONS:**

### **A. Department Reports.**

Delvan Hayward, Library, reports on library statistics and activities. Reports Public Works is still working on the coolers and thanks Town Manager Heatherly for fixing a water leak on the roof; the library entrance lights have been repaired as well. Friends of the Library held their quarterly meeting and approved to pay for the carpet cleaning in the library. Reports that Mr. Jerry Thomas of the San Carlos Indian Tribe took the crown costume for a ceremonial disposal. Announces that the Miami Library has been given the Pride of Miami award by Miami Genesis Inc. Announces a new library volunteer Ms. Nancy Brierley. Reports that Mayor Dalley has donated paint to the library and it will be used to paint the teen room. The library has been given a large donation of vintage magazines; fun to look at.

Town Manager Heatherly gives the Public Works Department report. Reports that the Town has hired a CDL driver for the garbage truck and he is doing a great job. Public Works have cleaned up the Public Works yard; removed all the scrap metal. Reports that the plant has been running well. Engineering – State has approved the Merritt Ramp Project and will be asking for Councils approval of a contractor next Council meeting. Will be submitting plans for redoing the building permit process. Gives a brief update on the installation of the new street signs. The financial audits are completed and will pick those up tomorrow. Ms. Pat Walker is continuing to review the financial activities, will be meeting with her on Friday afternoon and will be getting some controls in quickly.

### **B. Town Manager Report.**

### **C. Mayor/Council Reports.**

Councilmember Hanson reports on the Fiesta. Comments that with the Town's assistance the event was well organized. Councilmember Hanson thanks the Gila County Sheriff's Office and their inmates and Public Works Department for all their assistance with the Fiesta.

Councilmember Castaneda comments that the Bullion Plaza Museum, as well as the Miami Library received the Pride of Miami award from Miami Genesis Inc. Announces the opening of the Bullion Plaza Museum Mexican Exhibit – Phase I. Comments that the goal is to create a timeline of the Mexican people that migrated here and their influence on the area.

Councilmember Medina comments that he has a lot of military Hispanic history he can share. Apologizes for not being able to attend the Fiesta this year, he had prior obligations with the Loyal Order of the Moose. Gives an update on his work to keep the Boomtown Spree a continued event in the Town of Miami.

## **7. CALL TO THE PUBLIC:**

Mr. Tom Foster of the Bullion Plaza Museum thanks Mayor Dalley for taking the initiative to get a new flag for the museum flag pole in time for 9-1-1 and the Fiesta. Reports that the flowers at the museum are starting to flourish and bloom on both sides of the museum.

8. **UNFINISHED BUSINESS:** None.

9. **NEW BUSINESS:**

- A. Information, discussion and possible action:** Review and discussion of the Town of Miami curfew code and possible direction to Town Attorney to prepare an ordinance amending the Town of Miami curfew and provide for penalties.

Councilmember Medina presents this item to Council. Councilmember Medina comments regarding the 9:30 p.m. curfew many years ago and the horn that used to blow to notify of curfew time. Would like to have the Town Attorney amend the Town curfew code. Discussion regarding holding the parents responsible when there is a violation of the Town curfew. Discussion and comments regarding the \$15.00 penalty for violation of the curfew code. Discussion regarding providing for community service in the ordinance. The current curfew code was adopted in 1918 and amended in 1961. Open discussion and comments regarding adopting a new curfew code and the need to enforce it otherwise it will be meaningless. Town Manager Heatherly comments regarding the committee that was put together to discuss this issue as well as other problem issues such as vandalism and graffiti. Discussion regarding putting the wall along the creek back up on the west side of the park, as well as, live feed cameras. Brief discussion regarding have juvenile probation officers come talk to Council regarding ways of dealing with the Town's juvenile problem. Discussion regarding graffiti in the park and that the Miami Police Department needs to be held responsible for lack of patrol in the park, as well as other target areas. Councilmember Hanson comments that she feels a fine should be included if an ordinance is presented, to cover the cost of the police officers time and to cover damages. Open discussion and comments regarding implementing community service; will take Town staff to oversee the juveniles while performing community service. Discussion regarding educating parents and informing them of how they would be held for their children's actions. Town Manager Heatherly states that he will get with the Police Chief and a few others from the County to see what suggestions they may have regarding dealing with the problematic issues with the juveniles such as graffiti and vandalism within the Town. He will bring some suggested plans back to Council for their direction. Town Attorney Goodwin comments that the current code is very much out of date and is subject to a lot of defense that would most likely prevail. If a new ordinance is drafted it will be made to conform to the laws. Brief discussion regarding loitering laws and graffiti laws. No action taken on this item, Town Manager Heatherly will bring something back before for Council for their consideration.

- B. Information, discussion and possible action:** Approval of Resolution No. 1165; approving the Cobre Valley Community Transit Title VI Implementation Plan, including a Public Participation Plan and Limited English Proficiency Plan-related to preventing discrimination in the operation and administration of Cobre Valley Community Transit.

Town Manager Heatherly presents this resolution to Council. This is required because the Town is receiving federal funding for the transit system and they require more that more policies be in place. This is mainly regarding discrimination and has been requested by ADOT.

Councilmember Gonzales arrives at 7:20 p.m.

Councilmember Hanson motioned to approve Resolution No. 1165; approving the Cobre Valley Community Transit Title VI Implementation Plan, including a Public Participation Plan and Limited English Proficiency Plan-related to preventing discrimination in the operation and administration of Cobre Valley Community Transit. Motion seconded by Councilmember Medina. Vice Mayor Reiman calls for the vote. Vote – 6 in favor and 1 member absent (Councilmember Black). MOTION PASSED.

**C. Information, discussion and possible action:** To recess the regular meeting and hold an executive session pursuant to A.R.S. § 38-431.03 (A)(1) to continue and complete the evaluation of the performance of Town Manager Joseph Heatherly.

Councilmember Hanson motioned to recess into executive session. Motion seconded by Councilmember Medina. Vice Mayor Reiman calls for the vote. Vote – 6 in favor and 1 member absent (Councilmember Black).

Recessed at 7:25 p.m.

Council returns from executive session at 8:14 p.m. Mayor Dalley and Councilmember Black are absent.

**10. CALL TO THE COUNCIL:**

Councilmember Medina comments regarding a letter to the editor that he wrote and it was published in the local paper. He wanted to make it clear that the letter was his personal opinion and was not a reflection of the Town.

**11. ADJOURNMENT:**

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

Meeting adjourned at 8:14 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 14<sup>th</sup> day of September, 2015.

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

DATED this 28<sup>th</sup> day of September 2015.

  
Karen Norris, Town Clerk

**APPROVED:**

  
Darryl Dalley, Mayor