

MINUTES

TOWN OF MIAMI

REGULAR MEETING OF THE MAYOR AND COUNCIL MONDAY, FEBRUARY 8, 2016 AT 6:30 PM

1. CALL TO ORDER:

Mayor Dalley calls the meeting to order at 6:33 pm.

2. PLEDGE OF ALLEGIANCE/INVOCATION:

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

3. ROLL CALL OF COUNCIL MEMBERS:

PRESENT: Mayor Dalley, Vice Mayor Reiman (leaving at 7:55 p.m.), Councilmember Black, Councilmember Castaneda, Councilmember Gonzales (arrives at 6:44 p.m.), Councilmember Hanson and Councilmember Medina.

STAFF PRESENT: Town Manager Heatherly, Town Attorney Smiley, Town Clerk Norris, Engineering Department Drew Hauk and Dale Metz, and Police Chief Gillen.

4. CONSENT AGENDA:

- A. Consideration and possible action to approve Minutes of the January 25, 2016 Public Hearing and Special Council Meeting.
- B. Consideration and possible action to approve the Town Payroll for January 17, 2016.

Vice Mayor Reiman motioned to approve the consent agenda. Motion seconded by Mayor Dalley. Two typos are noted for correction. Mayor Dalley calls for the vote. Vote – 6 in favor and 1 member absent (Councilmember Gonzales). MOTION PASSED.

5. APPROVAL OF DEMANDS AND PRESENTATION OF BUDGET REPORTS:

- A. Consideration and possible action to approve the General Demands for January 15, 2016 to February 3, 2016.

Councilmember Medina motioned to approve the demands for January 15, 2016 to February 3, 2016. Motion seconded by Mayor Dalley. Mayor Dalley calls for the vote. Vote – 6 in favor and 1 member absent (Councilmember Gonzales). MOTION PASSED.

- B. Consideration and possible action to review and discuss the Revenues/Expenditures report for activities of December 2015.

Town Manager Heatherly briefly reviews the expenditures and revenues reported. Town Manager Heatherly explains that the report shows a positive cash flow but it is not completely right because it is shown on an accrual basis and is not purely cash. So far for the year the Town has spent a little bit less than what is coming in, so that is a good sign. Brief discussion regarding the gym funds and how they are shown on the report. Councilmember Black states that he thinks the gym needs to have a category of its own, so they can see what is coming in and going out. Brief discussion regarding the dump station revenues.

Councilmember Gonzales arrives at 6:44 p.m.

6. REPORTS / RECOGNITIONS:

A. Department Reports.

Police Chief Gillen, Police Department report of statistics and activity. Reports the Police Department has picked up 5 radar units for the police cars.

Mr. Dale Metz, Engineering Department gives a brief report and update on the acquisition of easements for the sewer project.

B. Town Manager Report.

Town Manager Heatherly reports that the needle valve on the press cracked on Friday, have ordered the part to fix it. They are currently working on a temporary fix until the part comes in. Have started filling potholes with millings last week and this week will start filling them with cold patch. Engineering Department is currently working on the Merritt Ramp Project. Reports briefly on the Mackeys Camp Crossing Project. Had the first public hearing for the upcoming CDBG Project and are currently working on details for the second CDBG Project public hearing. The 14/15 audit is underway, the auditors were here a week and a half ago and should be back this week. Reports on meetings he attended in the valley last week. AMEC has hired a new project manager, will be meeting with him tomorrow and he will be introduced at the next Council meeting.

C. Mayor/Council Reports.

Mayor Dalley reports that the Town now has a Grade 2 operator at the treatment plant, Mr. Wendon Dalley. Reports that he will be riding along with the Senior Center Meals on Wheels program on March 14th.

Councilmember Medina reports that he will be having Boomtown Spree meetings at the Miami Council Chambers at 5:00 p.m. before each Council meeting and everyone is invited to attend. Gives a brief update on the Boomtown Spree event and they have set a tentative date of April 16th.

7. CALL TO THE PUBLIC:

Mr. Joe Bronson, Scout Master Troup 101 in Globe, states that they are here tonight as part of obtaining their communications merit badge, one of the requirements is to attend a school board or Town Council meeting.

8. UNFINISHED BUSINESS:

A. Information, discussion and possible action:

1. To approve Resolution No. 1167 in support of the Central Arizona Transportation corridor's consortium of partners' efforts to apply for and obtain designation as a Promise Zone under the federal government's Promise Zone Initiative; and
2. To approve an Intergovernmental Agreement or Memorandum of Understanding with the Gila County Industrial Development Authority regarding the Town's participation in a cooperative effort with other Gila County public bodies to obtain designation as a regional Promise Zone by the federal government.

Mr. Cliff Potts, President of the Gila County Industrial Development Authority is present to answer any questions or address any issues Council may have on this item. Councilmember Black states that he would like to read the resolution that the federal government put out on this issue before he submits the Town to anything. Mr. Potts states that the IDA will be provided with a resolution if given a designation. Discussion as to why the resolution would be given after the designation is made. Mr. Potts comments regarding their grant application and approval process. They have to take it one step at a time, the initial steps were taken and initiated by the IDA to meet with USDA on what this Promise Zone is all about. At that point they approached Gila County with the proposal that they can step up and jointly fund the necessary requirements for the first 3 to 5 years of the Promise Zone initiative, while the Zone itself and Board of Directors and the Zones staff would be establishing the support and the grant stream where they would receive an override off each of the grants that are using the Promise Zone as favorable treatment, so they can become a self-funding entity. Discussion regarding coming to the Town with this at the last minute, does not give Council time to review and understand this issue. Mr. Potts states that if awarded a designation and the Town don't like the terms of the designation, they don't have to participate in the designation. Brief discussion regarding the grants being prepared with all the participants and reviewed before any commitments would be made. There is no financial obligations on the Town's parts in the resolution and the memorandum of understanding. Discussion regarding the grants being locally driven. Discussion regarding immigrants and immigration requirements. Discussion and comments regarding K-12 education being one of the key areas of the educational alliances in the region and they will be seeking grants for various educational needs. Brief discussion regarding the Miami Schools not being excluded if the Town of Miami does not participate in the Promise Zone as they are outside of the Town limits but within the County, which has already approved their support of the Promise Zone region. Discussion regarding the need for jobs in Miami and the need to have jobs before housing. Discussion regarding what kind of businesses can the Promise Zone bring into the area. Mr. Potts states that would be up to the community and what they determine they want here. Is there a guarantee that the Promise Zone will bring industry to the area? Discussion regarding how that will be

determined by the local area. Discussion regarding how the Promise Zone gives the region an opportunity to work together to build a better community. Discussion regarding whether the Town of Miami has any room for growth. Mr. Potts assures everyone that at this point they are just asking for the Town's support, there is nothing binding the Town and they can opt out if they decide they do not want to participate. Various public comments in favor and against the Town participating in the Promise Zone. Discussion regarding that if the Town does not like the terms of the contract they can back out, but if they don't get in now, they cannot get in after the fact, why turn away potential funding. Discussion regarding this being a regional effort because individually it can't be done. Vice Mayor Reiman motioned to adopt Resolution 1167 and approve the intergovernmental agreement memorandum of understanding. Motion seconded by Councilmember Hanson. Mayor Dalley calls for the vote. Vote – 4 in favor and 3 opposed (Mayor Dalley, Councilmember Black and Councilmember Medina). MOTION PASSED.

Vice Mayor Reiman leaves the meeting 7:55 p.m.

9. NEW BUSINESS:

A. Information and discussion only: Bullion Plaza Cultural Center and Museum annual report.

Mr. Joe Sanchez and Mr. Tom Foster present the Bullion Plaza Cultural Center and Museum annual report to Council. No action taken on this item.

Councilmember Black motioned to take a 5 minute recess. Motion seconded by Mayor Dalley. Vote – 6 in favor and 1 member absent (Vice Mayor Reiman). Motion Passed – 8:14 p.m.

Return from recess at 8:21 p.m. All members present and Vice Mayor Reiman absent.

B. Information, discussion and possible action: To appoint Joseph Heatherly to the position of Zoning Administrator, pursuant to Chapter 17.08.

Mr. Drew Hauk of the Engineering Department presents this item to Council and request the Mayor to appoint Town Manager Heatherly as Zoning Administrator. Town Attorney Smiley explains that this has come up due to a request for a Conditional Use Permit for a business. Although the Town Code provides for a Planning and Zoning Commission, the Town does not have one. The Town does not have a Board of Adjustments, as is required by State law. When the issue came up she reviewed the Code and found that the Zoning Administrator is the one who takes the application for a Conditional Use Permit and presents to Council for consideration of the Conditional Use Permit. The Town currently does not have a Zoning Administrator. Town Attorney Smiley explains the general process for zoning changes. The Zoning Administrator will not make final decisions, the final decision is always with Council. Councilmember Hanson motioned to appoint Joseph Heatherly to the position of Zoning Administrator, pursuant to Chapter 17.08. Motion seconded by Councilmember Medina. Mayor Dalley calls for the vote. Vote – 6 in favor and 1 member absent (Vice Mayor Reiman). MOTION PASSED.

- C. **Information, discussion and possible action:** To approve Ordinance No. 346, authorizing the Town of Miami Police Department to submit fingerprints to the Arizona Department of Public Safety for a criminal records check of current or prospective employees.

Police Chief Gillen presents this Ordinance to Council and explains why the Town is requesting approval of this ordinance. Currently the Police Department is doing the background checks for prospective town employees and using the Police Department's ORI (originating reporting identifier) number. It has been brought to the Town's attention that they cannot use the Police Department's ORI number, they have to have their own number. This ordinance is part of the required process for the Town to obtain its own ORI number through Department of Public Safety and the FBI. Councilmember Medina motioned to approve Ordinance No. 346, authorizing the Town of Miami Police Department to submit fingerprints to the Arizona Department of Public Safety for a criminal records check of current or prospective employees. Motion seconded by Mayor Dalley. Mayor Dalley calls for the vote. Vote – 6 in favor and 1 member absent (Vice Mayor Reiman). MOTION PASSED.

- D. **Information, discussion and possible action:** To direct staff to proceed with the process to seek individual bids for the potential sale of the property owned by the Town of Miami that is located at 267 S. Wentworth Ave.; including acquiring a title report, preparing a bid package, posting the Town's intent to sell the property and to solicit bids.

Town Manager Heatherly presents this item to Council. Town Manager Heatherly explains that it was brought to the Town's attention that they owned this property and it is not in the best interest of the Town to be in the land business. Staff did some record research and did find that it shows the Town as the owner. A couple of people have expressed interest in purchasing this property. Now staff is requesting permission to do a title search and put this property out for public bid. Councilmember Black states that the Town will have to check for back taxes due and include that in the bid package. Brief discussion regarding how the Town became the owner of this property; it is unclear and hoping that the title report will show what transpired. Want to be sure the Town actually owns the property before moving forward with the sale. Councilmember Hanson motioned to direct staff to proceed with the sale of this property in the Town of Miami located at 267 S. Wentworth Avenue and whatever that entails. Motion seconded by Councilmember Medina. Mayor Dalley calls for the vote. Vote – 6 in favor and 1 member absent (Vice Mayor Reiman). MOTION PASSED.

- E. **Information, discussion and possible action:** To approve Memorandum of Understanding with Arizona Department of Revenue regarding administration and collection of local municipal transaction privilege tax and similar affiliated excise taxes imposed under the Model City Tax Code governed under ARS Title 42, Chapter 6.

Town Manager Heatherly presents this item to Council. It is just to lay out that the Town agrees to follow that states rules regarding revenue and ADOR agrees to continue to collect the taxes. Councilmember Castaneda motioned to approve Memorandum of Understanding with Arizona Department of Revenue regarding administration and collection of local municipal transaction

privilege tax and similar affiliated excise taxes imposed under the Model City Tax Code governed under ARS Title 42, Chapter 6. Motion seconded by Councilmember Medina. Mayor Dalley calls for the vote. Vote – 6 in favor and 1 member absent (Vice Mayor Reiman). MOTION PASSED.

10. CALL TO THE COUNCIL:

Mayor Dalley comments that there has been a lot of talk regarding the Town of Miami, if people want to run for Council, run for Council, not run your fingers on a keyboard.

11. ADJOURNMENT:

Councilmember Medina motioned to adjourn the meeting. Motion seconded by Councilmember Black. Mayor Dalley calls for the vote. Vote – 6 in favor and 1 member absent (Vice Mayor Reiman). MOTION PASSED.

Meeting adjourned at 8:36 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 8th day of **February**, 2016.

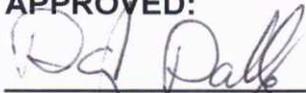
I further certify that the meeting was duly called and that a quorum was present.

DATED this 22nd day of **February** 2016.



Karen Norris, Town Clerk

APPROVED:



Darryl Dalley, Mayor