

# MINUTES

## TOWN OF MIAMI

### REGULAR MEETING OF THE MAYOR AND COUNCIL MONDAY, MAY 23, 2016 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, Vice Mayor Reiman, Councilmember Black, Councilmember Castaneda, Councilmember Gonzales, Councilmember Hanson and Councilmember Medina.

**STAFF PRESENT:** Town Manager Heatherly, Town Attorney Smiley, Town Clerk Norris, Code Enforcement Gary Leveque and Police Chief Gillen.

#### 4. CONSENT AGENDA:

- A. Consideration and possible action to approve Minutes of the May 9, 2016 Regular Meeting.
- B. Consideration and possible action to approve Minutes of the May 16, 2016 Budget Work Session.
- C. Consideration and possible action to approve the Town Payroll for May 8, 2016.

Vice Mayor Reiman 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 AND PRESENTATION OF BUDGET REPORTS:

- A. Consideration and possible action to approve the General Demands for May 2, 2016 to May 19, 2016.

Council questioned several of the demands. Councilmember Gonzales asks for copies of any voided checks to be put in his Council packet with the demands and that he still has not been receiving copies of the attorneys billings, would like to get copies of the monthly billings. Councilmember Black asks for a monthly report on all outstanding bills. Town Manager Heatherly states that will do that the first meeting of every month. Mayor Dalley motioned to approve the general demands for May 2, 2016 to May 19, 2016. Motion seconded by

Councilmember Medina. Mayor Dalley calls for the vote. Vote – 7 in favor. MOTION PASSED.

**6. REPORTS / RECOGNITIONS:**

**A. Department Reports.**

Town Attorney Smiley introduces her guest Ms. Krista Azant who is a summer associate at their firm.

Code Enforcement Officer Gary Leveque gave a statistic and activity report.

Police Chief Gillen, Police Department report of statistics and activity.

**B. Town Manager Report.**

Town Manager Heatherly gives a progress report on the swimming pool. Reports that the stairs behind the Townhall have been repaired and will begin repairing the hand rail in a couple of weeks. Merritt Ramp project progress report. Reports that the transit budget has been submitted to ADOT and he will be attending the Globe Council Meeting tomorrow night to present the Town's request for partnering funds. Brief update on the Mackey's Camp project. Brief report on the reorganization of the administration group. Reports on meeting today with USDA and Tri-City Sanitary District. Reports that Ms. Pat Walker was here working with the staff to implement some new internal controls for cash management as well as looking into a couple of issues that need resolved. Reports that he will be leaving town for vacation on Wednesday.

**C. Mayor/Council Reports.**

Councilmember Black reports that he has been doing a lot of traveling during the last month and last Thursday he attended the Gila County Community Action Program Advisory Board meeting. It is the ACAA Arizona Community Action Association and they help low income families in the community with paying bills such as gas, electric etc. and they have several other programs at the County. It was a nice conference and he learned a lot.

Councilmember Medina announced Boomtown Spree will be held April 7<sup>th</sup> and 8<sup>th</sup>, 2017. Also just to get word out to the community that his wife usually does fund raisers a Fry's grocery store, this last time she was not approved to have a bake sale and was directed to the Gila County Health Department. Found out there is a liability, apparently if people get sick from the baked goods, then they want to sue the stores. Councilmember Medina states this was not directly stated but this is what they are assuming the issue is.

Mayor Dalley announces the Memorial Day Ceremony this Monday at 10:00 at the Miami Memorial Park.

**7. CALL TO THE PUBLIC:**

Mr. Tom Foster of the Bullion Plaza Museum announces that their grant submission to the Freeport Foundation was denied. The grant submission was for abatement of the basement at Bullion Plaza for removal of asbestos materials in four rooms. Comments that they looked at other grant possibilities but don't think that they can get ready in time for this grant cycle. Asks that next time around maybe the Town can work together with the museum on this grant. It benefits the Town, Bullion and the community. Because the building is owned by the Town and leased by the museum they cannot submit the grant on their own.

**8. UNFINISHED BUSINESS:** None.

**9. NEW BUSINESS:**

- A. Information, discussion and possible action:** Information and discussion regarding an update on the progress of the Town of Miami Phase 2 Sewer Project and possible action to approve Phase 2 revised sewer project schedule and completion cost.

Town Manager Heatherly reports that they were not able to compete the schedule and projected cost yet. They are continuing to work on that. They will meet on the 7<sup>th</sup> to review the proposed schedule change and projected cost. Town Manager Heatherly reports on a few of the proposed changes. Brief discussion regarding project delays costing the Town money. Brief discussion regarding Sykes Alley issues and that it needs to be looked at, getting a lot of infiltration from that line. Need to look at other options and make some decisions. Discussion regarding the proposal for the contract extension for AMEC and going to propose that HilgartWilson be removed from under AMEC and do the project management roll working directly for the Town and not through AMEC. Reports that they are still working with APS regarding the Public Works Yard issues. Brief discussion regarding working with Arizona Water Company and trying to get some resolutions there. No action taken on this item.

- B. Information, discussion and possible action:** To approve Special Event Liquor License application for Globe Lions Club; Humane Society Auction to be held Saturday, July 23, 2016; from 3:00 p.m. to 12:00 a.m.; at Bullion Plaza Gym, 150 W. Plaza Circle, Miami, AZ.

Ms. Nancarrow of the Globe Lions Club presents this request to Council. Councilmember Black motioned to approve Special Event Liquor License application for Globe Lions Club; Humane Society Auction to be held Saturday, July 23, 2016; from 3:00 p.m. to 12:00 a.m.; at Bullion Plaza Gym, 150 W. Plaza Circle, Miami, AZ. Motion seconded by Councilmember Medina. Mayor Dalley calls for the vote. Vote – 7 in favor. MOTION PASSED.

- C. Information, discussion and possible action:** To establish a task force to review public safety support for the Town of Miami.

Town Manager Heatherly presents this item to Council as a follow-up from discussions at the recent budget work session. Requesting to form a task force of 3 Council Members and 2 staff members, and 1 citizen from the general public. This is to look into contract public safety

services with Gila County. Town Manager Heatherly explains that he met with the Sheriff last week and talked about the previous proposal that was given to the Town and what the Town is looking for as far as services and coverage. Vice Mayor Reiman, Councilmember Black and Councilmember Castaneda volunteered to be on the committee. Town Manager Heatherly states the staff members would be himself and Chief Gillen, if Council is in agreement with that. Councilmember Gonzales suggests two members from the community, one business owner and one citizen. Mr. Tom Foster, Miami resident, volunteers to be the on the committee as well.

- D. Information, discussion and possible action:** To approve Resolution No. 1176 approving the Waiver Valuation Appraisal Process for the acquisition of sewer utility and temporary construction easements for the Town of Miami Sewer Project and to ratify the use of the Process in Phase 2 and authorize its continued use in Phases 3 through 5.

Town Attorney Smiley presents this item to Council explaining that it is sort of a cleanup item. The Town, early on in the process, realized that the appraisals that are required for the acquisition for the easements are more expensive than the easements themselves. USDA requires in their rules that the Town obtain an appraisal for each acquisition. There is an exception that if the market value is less than \$10,000 and the acquisitions are routine then the Town can do a waiver appraisal process. Basically the Town picks an easement and does an appraisal of that easement and based on that easement does a formula for square footage to obtain the market value of the other easements. This was done about 2 years ago and the Wastewater Advisory Board approved it and somehow it fell through the cracks and did not get formally approved by Council. It was used throughout Phase 2 and have been using it for Phase 3, now asking for Councils ratification for its use for Phase 2 and authorize the use for Phases 3 -5. Vice Mayor Reiman motioned to approve Resolution No. 1176 approving the Waiver Valuation Appraisal Process for the acquisition of sewer utility and temporary construction easements for the Town of Miami Sewer Project and to ratify the use of the Process in Phase 2 and authorize its continued use in Phases 3 through 5. Motion seconded by Councilmember Medina. Mayor Dalley calls for the vote. Vote – 7 in favor. MOTION PASSED.

- E. Information, discussion and possible action:** To appoint Miami Genesis to manage and organize the Town of Miami Fiesta event at no cost to the Town and to reserve the Bullion Plaza Park for the event, to be held Saturday, September 10, 2016, and direct the Town Manager to provide Town staff to assist as needed.

Ms. Susan Hanson of Miami Genesis presents this request to Council explaining that Miami Genesis has done this in the past. Brief discussion regarding staff being involved in the event. Discussion regarding the Town assisting with Fiesta events in the past with things like putting up and removing barricades and such. Open discussion regarding the Town becoming more involved with the local events and promoting the Town. Councilmember Medina motioned to appoint Miami Genesis to manage and organize the Town of Miami Fiesta event at no cost to the Town and to reserve the Bullion Plaza Park for the event, to be held Saturday, September 10, 2016, and direct the Town Manager to provide Town staff to assist as needed. Discussion regarding the Town being involved in the events and taking over running the events. Motion seconded by Councilmember Hanson. Mayor Dalley calls for the vote. Vote – 7 in favor. MOTION PASSED.

- F. Information, discussion and possible action:** To approve, subject to funding agency approval, Change Order #16: \$9,553.58, increase in Kinkaid Civil Construction's contract price for extra work required for additional excavation and backfill at MH A3—01 and from MH A3-01 toward MH A1-25, resulting from the redesign and realignment of the sewer along Gordon Street, as recommended by the Wastewater Advisory Board.

Town Manager Heatherly presents this item to Council and explains the reason for the change order. Councilmember Castaneda motioned to approve, subject to funding agency approval, Change Order #16: \$9,553.58, increase in Kinkaid Civil Construction's contract price for extra work required for additional excavation and backfill at MH A3—01 and from MH A3-01 toward MH A1-25, resulting from the redesign and realignment of the sewer along Gordon Street, as recommended by the Wastewater Advisory Board. Motion seconded by Councilmember Medina. Mayor Dalley calls for the vote. Vote – 7 in favor. MOTION PASSED.

- G. Information, discussion and possible action:** To approve, subject to funding agency approval, Change Order #18: \$6,308.58, increase in Kinkaid Civil Construction's contract price for extra work required to remove and replace an existing sewer from MH A7-02 to the new cast-in-place manhole in Miami Avenue, as recommended by the Wastewater Advisory Board.

Town Manager Heatherly presents this to Council explaining this is due to additional work associated with the manhole north of the bridge on Miami Avenue. Councilmember Castaneda motioned to approve, subject to funding agency approval, Change Order #18: \$6,308.58, increase in Kinkaid Civil Construction's contract price for extra work required to remove and replace an existing sewer from MH A7-02 to the new cast-in-place manhole in Miami Avenue, as recommended by the Wastewater Advisory Board. Motion seconded by Councilmember Medina. Mayor Dalley calls for the vote. Vote – 7 in favor. MOTION PASSED.

- H. Information, discussion and possible action:** To approve, subject to funding agency approval, Allowance Change Order AFW01: \$5,084.80, increase in Kinkaid Civil Construction's available allowance for unknown utility conflicts to reconcile the allowance amounts shown in Pay App #6, which were subsequently revised downward per USDA review, as recommended by the Wastewater Advisory Board.

Town Manager Heatherly presents this item to Council explaining that this is to put unused money back into the allowance fund. Councilmember Medina motioned to approve, subject to funding agency approval, Allowance Change Order AFW01: \$5,084.80, increase in Kinkaid Civil Construction's available allowance for unknown utility conflicts to reconcile the allowance amounts shown in Pay App #6, which were subsequently revised downward per USDA review, as recommended by the Wastewater Advisory Board. Motion seconded by Councilmember Castaneda. Mayor Dalley calls for the vote. Vote – 7 in favor. MOTION PASSED.

- I. Information, discussion and possible action:** To approve, subject to funding agency concurrence, payment application for Kinkaid Civil Construction, in the amount of \$303,313.88 for Phase 2 Construction Services (\$0.00 due from WIFA; \$303,313.88 due from USDA), as recommended by the Wastewater Advisory Board.

Town Manager Heatherly presents this item to Council. Councilmember Castaneda motioned to approve, subject to funding agency concurrence, payment application for Kinkaid Civil Construction, in the amount of \$303,313.88 for Phase 2 Construction Services (\$0.00 due from WIFA; \$303,313.88 due from USDA), as recommended by the Wastewater Advisory Board. Motion seconded by Councilmember Medina. Mayor Dalley calls for the vote. Vote – 7 in favor. MOTION PASSED.

- J. Information, discussion and possible action:** To approve, subject to funding agency concurrence, payment application for AMEC, in the amount of \$28,963.24 for Design, Program Management and Construction Management Services (\$0.00 due from WIFA; \$28,963.24 due from USDA), as recommended by the Wastewater Advisory Board.

Town Manager Heatherly presents this item to Council. This payment application is through the month of April for AMEC. Brief discussion regarding this being for design and engineering or project management. Town Manager Heatherly explains that is for both but there should be very little design work needed for things such as changes out in the field if issues arise. Brief discussion regarding the underground storage tank at the 76 Station (Pacific Pride) and the need to reroute the line to avoid that tank. Mayor Dalley motioned to approve, subject to funding agency concurrence, payment application for AMEC, in the amount of \$28,963.24 for Design, Program Management and Construction Management Services (\$0.00 due from WIFA; \$28,963.24 due from USDA), as recommended by the Wastewater Advisory Board. Motion seconded by Vice Mayor Reiman. Mayor Dalley calls for the vote. Vote – 7 in favor. MOTION PASSED.

- K. Information, discussion and possible action:** To approve, subject to funding agency concurrence, payment application for Gust Rosenfeld, in the amount of \$17,688.42 for Legal Services (\$0.00 due from WIFA; \$17,688.42 due from USDA), as recommended by the Wastewater Advisory Board.

Town Manager Heatherly presents this item to Council. Councilmember Castaneda motioned to approve, subject to funding agency concurrence, payment application for Gust Rosenfeld, in the amount of \$17,688.42 for Legal Services (\$0.00 due from WIFA; \$17,688.42 due from USDA), as recommended by the Wastewater Advisory Board. Motion seconded by Councilmember Medina. Mayor Dalley calls for the vote. Vote – 7 in favor. MOTION PASSED.

- L. Information, discussion and possible action:** To approve, subject to funding agency concurrence, payment application for Stifel, Nicolaus & Company, Inc., in the amount of \$18,000.00 for Financial Consultation Services related to the USDA Phase 2 funding closing (\$0.00 due from WIFA; \$18,000.00 due from USDA), as recommended by the Wastewater Advisory Board.

Town Manager Heatherly presents this item to Council and explains that this is because of the refinancing that was done and included Phases 2, 3, 4, and 5. Councilmember Castaneda motioned to approve, subject to funding agency concurrence, payment application for Stifel, Nicolaus & Company, Inc., in the amount of \$18,000.00 for Financial Consultation Services related to the USDA Phase 2 funding closing (\$0.00 due from WIFA; \$18,000.00 due from

USDA), as recommended by the Wastewater Advisory Board. Motion seconded by Councilmember Medina. Mayor Dalley calls for the vote. Vote – 7 in favor. MOTION PASSED.

**M. Information, discussion and possible action:** To approve, subject to funding agency concurrence, payment application for Town of Miami, in the amount of \$2,021,402.18 for final payment of the WIFA loan and other project-related expenses (\$0.00 due from WIFA; \$2,021,402.18 due from USDA), as recommended by the Wastewater Advisory Board.

Town Manager Heatherly presents this item to Council explaining that this is the last and most important payment. This is to pay off the existing WIFA loan. Councilmember Medina motioned to approve, subject to funding agency concurrence, payment application for Town of Miami, in the amount of \$2,021,402.18 for final payment of the WIFA loan and other project-related expenses (\$0.00 due from WIFA; \$2,021,402.18 due from USDA), as recommended by the Wastewater Advisory Board. Motion seconded by Councilmember Castaneda. Mayor Dalley calls for the vote. Vote – 7 in favor. MOTION PASSED.

**10. CALL TO THE COUNCIL:**

Mayor Dalley states that he will not be able to attend the Globe City Council meeting tomorrow night so he asked Vice Mayor Riemann to attend in his absence. At the meeting they will be discussing the equal partnership of the Cobre Valley Transit program.

**11. ADJOURNMENT:**

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

Meeting adjourned at 8:00 p.m.

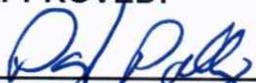
**CERTIFICATION:**

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 23<sup>rd</sup> day of May, 2016.

I further certify that the meeting was duly called and that a quorum was present.  
DATED this 13<sup>th</sup> day of June 2016.

  
\_\_\_\_\_  
Karen Norris, Town Clerk

**APPROVED:**

  
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Darryl Dalley, Mayor