

# MINUTES

## TOWN OF MIAMI

### REGULAR MEETING OF THE MAYOR AND COUNCIL MONDAY, OCTOBER 9, 2017 AT 6:30 PM

#### 1. CALL TO ORDER:

Mayor Dalley calls the meeting to order at 6:32 pm.

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

Mayor Dalley led the pledge of allegiance. Councilmember Medina led the invocation.

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

**PRESENT:** Mayor Dalley, Vice Mayor Gonzales, Councilmember Castaneda, Councilmember Hanson and Councilmember Medina.

**EXCUSED:** Councilmember Black and Councilmember Mancha II.

**STAFF PRESENT:** Town Manager Heatherly, Town Attorney Smiley, Town Clerk Norris, Police Chief Preston, Librarian Delvan Hayward and Utility Coordinator Tash Jerrols.

Mayor Dalley recognizes Globe City Council Member Larry Alderman and Miami High School Principal Glen Lineberry are present.

#### 4. CONSENT AGENDA:

- A. Consideration and possible action to approve Minutes of the September 25, 2017 Regular Council Meeting.
- B. Consideration and possible action to approve the Town Payroll for September 24, 2017.
- C. Consideration and possible action to approve Cities and Towns Week 2017 Proclamation.
- D. Consideration and possible action to approve Rural Communities of Arizona Day in Miami, Arizona Proclamation.

Councilmember Castaneda moved to approve the consent agenda. Seconded by Councilmember Hanson. Mayor Dalley calls for the vote. Vote – 5 in favor and 2 members excused (Councilmember Black and Councilmember Mancha II). MOTION PASSED.

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

- A.** Consideration and possible action to approve the General Demands for September 22, 2017 to October 4, 2017.

Council asks a few questions about various demands. Vice Mayor Gonzales asks about a voided check and why that was not put in his Council packet. Vice Mayor Gonzales states that he has asked several times for copies of the voided checks be put in his Council packet. Councilmember Castaneda moved to approve general demands for September 22, 2017 to October 4, 2017. Seconded by Councilmember Hanson. Mayor Dalley calls for the vote. Vote – 5 in favor and 2 members excused (Councilmember Black and Councilmember Mancha II). MOTION PASSED.

- B.** Review and discussion of Accounts Payable Aging Report through September 2017.

Town Manager Heather briefly reviews the accounts payable aging report through September 2017. Comments that it has crept up a bit but that is due to the pending amount due to USDA. Brief discussion regarding on the balance owed to the Town Auditors.

- C.** Review and discussion of Revenues/Expenditures report for activities of September 2017.

Town Manager Heatherly reviews the schedule of revenues. So far he has no concerns with the revenues. Brief review of the expenditure report, also has no concerns with the expenditures. Town Manager Heatherly comments briefly on the allocation of time disbursement for payroll. Vice Mayor Gonzales asks why the expenditure for the Police Department is a lot higher than the previous two months. Town Manager Heatherly explains that September was a three pay period month. Vice Mayor Gonzales asks why would we pay out more in Administration than in the Police Department? Town Manager Heatherly states that you can't just go by one month, you need to go by the bottom line and both the Administration and Police Department are within their budget for the fiscal year.

- D.** Review and discussion of the recap of financial activity report for September 2017.

No discussion or comments regarding the financial activity report for September 2017.

**6. REPORTS / RECOGNITIONS:**

- A.** Department Reports.

Librarian Delvan Hayward gives the Library report on statistics and activity for September 2017.

Police Chief Preston gives the Police Department report on activity and statistics for September 2017. The next Block Watch meeting will be on November 6<sup>th</sup> at Townhall.

Tash Jerrols, Utility Coordinator, reports on the utility account billing activities and monthly statistics for September 2017.

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

Town Manager reports that we have not had any inmates working for us since Tuesday of last week due to training out at the prison. Public Works have installed a bus stop at the Senior Center parking lot. We have one more and are currently looking for a location to place it. Reports briefly on the Miami Centennial planning meeting that took place last week. We will be meeting again on the 26<sup>th</sup> at Bullion Plaza. Reports on the Zero Tolerance letters that went out; have received much positive feedback regarding that. Comments on the need to form an internal committee to address the issue with PSPRS. Reports on a meeting that he and Mayor Dalley had with USDA on Friday. Comments that Public Works has been working on filling potholes around town. Announces that he will be attending the Rural Arizona Transportation Summit on October 18<sup>th</sup> and 19<sup>th</sup> in Prescott.

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

Councilmember Medina states that Boomtown Spree is still a go. He explains that he was not able to attend the Centennial meeting because he teaches on Thursday but the Boomtown Spree has good representation at that meeting. Comments on assisting Public Works Department with repairs to the 3 pieces of equipment that is broke down. Councilmember Medina states that he was very impressed with Ken Lawson, Town of Miami mechanic. He does wonderful work and he knows what he is doing

Mayor Dalley thanks Town Manager Heatherly for speaking at the PSPRS presentation and everyone was impressed with his knowledge of PSPRS and the current issue. Comments on the joint Council meeting with Globe City Council. Mayor Dalley gives thanks to Town Manager Heatherly for the vehicles and employees in the Homecoming Parade. Announces that there will be a Copper Corridor Mayor's meeting at the Bullion Plaza Museum on October 17<sup>th</sup>.

Councilmember Castaneda comments regarding the joint meeting with the City of Globe Council. Commends both Mayors for their efforts for putting these meetings together; the communication is vital for both towns. The meetings are extremely informative and interesting.

Councilmember Medina agrees with Councilmember Castaneda regarding the joint meetings and apologizes for not being able to make it to this most recent meeting.

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

Mrs. Marianne Collins, Miami resident, requests the use of the Miami Park to have a Halloween pet costume contest on October 30<sup>th</sup> from 6:00 pm to 8:00 pm. Mrs. Collins comments regarding talking to people who have grown up in Miami and they remember all the wonderful things that used to take place in Miami and wish it would be done again.

## **8. UNFINISHED BUSINESS:**

- A. Information and discussion only:** Report on attendance at the Arizona League of Cities and Towns Annual Conference.

Ms. Sarah Griego and Kay Bollinger of the Miami High School report to Council on their experience at the 2017 Arizona League of Cities and Towns Annual Conference. They present Council with a card thanking them for sponsoring their attendance at the conference. Mr. Glen Lineberry, Miami High School Principal comments regarding working on some issues in legislation regarding rural schools and some of the challenges they are currently facing. Mr. Lineberry also thanks Council for taking an interest in the students and giving them the opportunity to attend the conference. Mr. Lineberry reports that the State's A-F grades for public and charter schools have been released and is pleased to report that Miami High School has a grade of C and is the only high school in Southern Gila County to have done that well.

- B. Information, discussion and possible action:** To approve renewal of the Bullion Plaza Gym Management Contract with Miami Genesis, terminating on February 28, 2018 and to approve a new Exhibit B to the Management Contract regarding Bullion Plaza Gym Event Rates changing the deposit and potential refund amounts and including a charge for cleaning the Gym after its use.

Town Manager Heatherly presents this item to Council and ask that they consider approving the Genesis contract renewal only at this time and leave off Exhibit B. Town Manager Heatherly explains that they want to look at the whole structure and how it is set up. Would like to make some adjustments and bring it back to Council for approval. Open discussion regarding various pricing issues and cleaning issues that Council would like to have addressed in the restructured exhibit. Councilmember Medina moved to approve the renewal of the Bullion Plaza Gym Management Contract with Miami Genesis terminating on February 28, 2018. Seconded by Councilmember Castaneda. Town Attorney Smiley clarifies that the motion would be to approve the renewal of a contract as is and then any changes would come back before Council as an amendment to the renewal. Councilmember Medina responds "right". Mayor Dalley calls for the vote. Vote 5 in favor and 2 members excused (Councilmember Black and Councilmember Mancha II). MOTION PASSED.

## 9. NEW BUSINESS:

- A. Information, discussion and possible action:** To review Business License Application procedure and requirements and possible direction to staff to develop requirements for review by various departments prior to issuance.

Town Manager Heatherly presents this to Council. Town Manager Heatherly explains that he would like to look at the current ordinance and really modify it a lot. He would like to inform the Council prior to someone getting a business license just to get their comments and/or concerns. Town Manager Heatherly comments on the need for a proper town zoning code. Open discussion regarding the zoning map and zoning code problems in the town. Discussion regarding how the zoning affects the business licensing. Brief discussion regarding the Town Code Enforcement, Police Department and Fire Department complete business inspections for public safety prior to approval of the license and that is already provided for in the Town Code. Councilmember Hanson moved to accept this or that it goes back to staff and have a presentation in there for Council, it is valuable, if it flies through, no big deal but we might (inaudible) or this way (inaudible). Seconded by Councilmember Medina. Town Attorney Smiley asks for clarification on the motion. What she got out of that motion was that she moved

to direct staff to prepare an amendment to the business license to provide an opportunity for Council to hear presentations on business licenses. Councilmember Hanson responds "right". Vice Mayor Gonzales asks if it is typical or standard for Councils to review business licenses. Town Attorney Smiley states that it is usually an administrative act by the Town Clerk, but it is not unheard of. Mayor Dalley calls for the vote. Vote – 5 in favor and 2 excused (Councilmember Black and Councilmember Mancha II). MOTION PASSED.

**B. Information, discussion and possible action:** To approve Intergovernmental Agreement (IGA) between Gila County and Town of Miami for the Cobre Valley Community Transit System to be effective retroactively September 26, 2017.

Councilmember Castaneda moved to approve Intergovernmental Agreement (IGA) between Gila County and Town of Miami for the Cobre Valley Community Transit System to be effective retroactively September 26, 2017. Seconded by Councilmember Medina. Mayor Dalley calls for the vote. Vote – 5 in favor, 2 members excused (Councilmember Black and Councilmember Mancha II). MOTION PASSED.

**C. Information, discussion and possible action:** To review current status of utility receivables and possibly give direction to staff to prepare an ordinance amending procedures by which a delinquent bill may be brought current.

Tashiana Jerrols, Utility Coordinator presents this item to Council. Ms. Jerrols explains that this is to address the account holders with large delinquent balances and to possibly provide them with alternative financing or payment arrangements to be concurrent. Ms. Jerrols reviews the current ordinance regarding payment arrangements and it only allows for 6 months of payment arrangements. They are finding that six months to be a challenge due to the large balances and also financial situations. Would like to propose an amendment to exceed the six months and go up to 24 months, but they would also need to keep their current bill paid and the balance would go into the contract. This would take away the 1.5% interest penalty during the time of the contract. So basically they would make monthly payments plus their current payments. Depending on their financial situation the Town Manager can decide if they are eligible for it or not. To determine if they were eligible the Town would review their proof of income. Councilmember Castaneda wonders if 36 months, in some cases, would be more successful. Town Manager Heatherly comments on transferring balances to a contract and not charging interest on the contract payments, he does not agree with that but feels it is necessary because most will have a hard time paying anyways. It needs to be clear that this program is for the current situation and if they don't pay the service is getting turned off. Discussion regarding how other utility companies do not let customers get away with not paying their bill, they get their services cut off. Town Manager Heatherly states that he has spoken with Arizona Water Company and he is pretty sure, when we give notice that we are turning someone off, they will turn off the water as well. Brief discussion regarding making the payment schedule in tiers to be determined by the balance owed. Town Manager Heatherly comments that we don't want to turn anyone off, we want them to be successful in paying their past due balances. Turning it off is the last resort. Discussion regarding what the Town will do to determine the hardship to pay; paystub and last filed income taxes. We do not need to keep them, we do not need copies, just need to see them to determine income and ability to pay. Councilmember Hanson moved to have staff prepare an ordinance and bring it back to Council. Seconded by

Councilmember Medina. Mayor Dalley calls for the vote. Vote – 5 in favor, 2 members excused (Councilmember Black and Councilmember Mancha II). MOTION PASSED.

- D. Information, discussion and possible action:** To review the Town of Miami Town Code Chapter 9.04 Section 9.04.010 Curfew Imposed and possible direction to staff to prepare an ordinance updating such section.

Town Manager Heatherly proposes that we update the ordinance and increase the age to under the age of 18 and go to 10:00 p.m. Would like to add something in the ordinance to go after the parents or legal guardians of the children who do certain things; violate the curfew or anything else. Not sure if it would be in this section or not but would like to incorporate community service for violators. Town Manager Heatherly states the Town is also looking into getting the curfew horn back in service. Councilmember Castaneda moved to have the Town Attorney prepare an ordinance putting the 18 years of age, 10:00 pm and putting some responsibility on the parents and take off the \$15.00 fine. Seconded by Councilmember Medina. Councilmember Hanson states she thinks it should be 9:00 p.m. and how much should the fine be? Town Attorney Smiley explains what the fine would be for a Class One misdemeanor. Town Attorney Smiley states that we can put that in the ordinance and also add the option for the court to in lieu of the penalty the court may provide a community service up to a certain amount, not sure how to word it just now. Discussion regarding making community service an option for parents as well. Discussion regarding having the curfew at 9:00 p.m. Sunday through Thursday and 10:00 p.m. on Friday and Saturday. Discussion regarding imposing different curfew hours for summertime as well. Councilmember Castaneda comments regarding seeing the kids at the basketball court later at night and it is too bad that they have to suffer because of the ones who are not playing basketball. Discussion regarding putting signage at the basketball court or swimming pool and if the kids are anywhere else they are in violation of curfew. Town Attorney Smiley states you could word it that the curfew is for all areas of the town other than the basketball court, but then they have to get home. Mayor Dalley calls for the vote. Vote – 5 in favor, 2 members excused (Councilmember Black and Councilmember Mancha II). MOTION PASSED.

- E. Information, discussion and possible action:** To approve Administrative Services Contract (CDBG FY 2016 RA Funds) Town of Miami.

Councilmember Castaneda moved to approve Administrative Services Contract (CDBG FY 2016 RA Funds) Town of Miami. Seconded by Councilmember Medina. Mayor Dalley calls for the vote. Vote – 5 in favor, 2 members excused (Councilmember Black and Councilmember Mancha II). MOTION PASSED.

## **10. CALL TO THE COUNCIL:**

Councilmember Medina thanks everyone for stay through the meeting.

Mayor Dalley states that the shirts with the Town of Miami logo that he got for the high school kids to wear to the conference he had made at Tanners place in Globe. Announces there is a Miami/Globe BHP Community Reference Group Meeting at Globe City Hall on Wednesday at noon.

**11. ADJOURNMENT:**

Councilmember Castaneda moved to adjourn the meeting. Seconded by Councilmember Medina. Mayor Dalley calls for the vote. Vote – 5 in favor, 2 members excused (Councilmember Black and Councilmember Mancha II). MOTION PASSED.

Meeting adjourned at 8:45 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 9<sup>th</sup> day of October, 2017.

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

DATED this 23<sup>rd</sup> day of October 2017.



Karen Norris, Town Clerk

**APPROVED:**



Darryl Dalley, Mayor