



MINUTES

TOWN OF MIAMI

REGULAR MEETING OF THE MAYOR AND COUNCIL MONDAY, MAY 14, 2018 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. Councilmember Medina led the invocation.

3. ROLL CALL OF COUNCIL MEMBERS:

PRESENT: Mayor Dalley, Vice Mayor Gonzales Councilmember Black, Councilmember Castaneda, Councilmember Hanson, Councilmember Mancha II and Councilmember Medina.

STAFF PRESENT: Town Manager Heatherly, Town Attorney Goodwin, Town Clerk Norris, Utility Coordinator Tashiana Jerrols, Librarian Delvan Hayward, Finance Director Stacie Allison, Senior Center Director Kristy Regalado and Code Enforcement Officer Joshua Derhammer.

Globe City Council Member Freddie Rios is present.

Former Gila County Board of Supervisor Mike Pastor is present.

4. CONSENT AGENDA:

- A. Consideration and possible action to approve Minutes of the April 23, 2018 Regular Council Meeting, April 27, 2018 Budget Work Session and May 1, 2018 Special Council Meeting.
- B. Consideration and possible action to approve the Town Payroll for May 8, 2018.
- C. 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 8, 2018, and direct the Town Manager to provide Town staff to assist as needed.

Councilmember Mancha moved to approve the consent agenda. Seconded by Councilmember Hanson. 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 April 21, 2018 to May 10, 2018.

Councilmember Castaneda moved to approve general demands for April 21, 2018 to May 10, 2018. Seconded by Councilmember Mancha II. Vice Mayor Gonzales asks about the check sequencing being out of order. Finance Director Allison states that is due to them coming from different accounts; one is payroll and one is accounts payable. Mayor Dalley calls for the vote. Vote – 7 in favor. MOTION PASSED.

- B.** Review and discussion of Accounts Payable Aging Report through April 2018.

Councilmember Black asks about Vendor Number 5423; what is that for. Finance Director Allison states that she believe it is for the cancer policy for officers, but will look into it.

- C.** Review and discussion of Revenues/Expenditures report for activities of April 2018.

Town Manager Heatherly briefly reviews the revenues report. Councilmember Black states that he would like to see a separate line showing the revenues and expenditures for the gym. Town Manager Heatherly briefly reviews the expenditure report.

- D.** Review and discussion of the recap of financial activity report for April 2018.

Town Manager Heatherly briefly reviews the recap of financial activity for the month of April 2018. Brief discussion and comments regarding the “available cash on hand”. Town Manager Heatherly explains that we made a payment to USDA in the amount of \$70,000.00. Vice Mayor Gonzales asks if that should be coming out of the enterprise fund. Town Manager Heatherly explains that this report is just showing everything together.

6. REPORTS / RECOGNITIONS:

- A.** Department Reports.

Librarian, Delvan Hayward gives the Library report on statistics and activity for April 2018. Delvan thanks the Town of Miami for giving her her first job at the Hostetler Pool when she was 14 years old and giving her her last job as Librarian.

Senior Center Director, Kristy Regalado gives the Senior Center report on statistics and activity for April 2018.

Code Enforcement Officer, Joshua Derhammer gives the Code Enforcement and Animal Control report on statistics and activity for April 2018.

Utility Coordinator, Tashiana Jerrols, reports on the utility account billing activities and monthly statistics for April 2018.

Finance Director Allison briefly reports on the collection of sales tax from local businesses.

B. Town Manager Report.

Town Manager Heatherly reports that the Public Works Department has been busy working on the pool, cleaning up the streets around town and still working on the septic receiving station issues. Town Manager Heatherly gave Council a copy of the FY 16/17 audit report explaining that Mr. Scott Powell will be here in June to present the report to Council and answer any questions they may have. Reports that the insurance adjuster was here last Friday to look at the damage to the Vandal Park and Public Works yard fence, both of which were separate auto accidents. Gives a brief update on the bio solid recycling project for the sludge. Reports on going to Prescott with Finance Director Allison and Senior Center Director Regalado to look at their recreation program and to get ideas and direction for the Town to work on a recreation program. Reports that he is currently reviewing resumes for Police Chief and would like Mayor Dalley, Vice Mayor Gonzales and Councilmember Mancha II to be on the interview panel. Would like to set up the interviews in the next 7 to 14 days.

C. Mayor/Council Reports.

Mayor Dalley gives a brief report of the PSPRS Board meeting approving retirement of 2 police officers. Mayor Dalley comments regarding his recent visit to the Miami Library and he is happy to see Roy back at work. Comments regarding turning on the lights at the pool so that the contractors could still work when it got dark. Comments on attending the Chamber Mixer with Town Manager Joe Heatherly. Reports on the scholarship acceptance to the 2018 Summer Program of the Indian University of North America to Ms. Kinney, a Miami High School student. Mayor Dalley states he is helping to raise funds for Ms. Kinney's transportation, room and board to the program.

Councilmember Hanson announces that Miami Genesis Roosevelt Project has been completed by the contractor. Their next project is working on railings for the stairs.

Councilmember Medina announces that Boomtown Spree is not dead, still working out some kinks and clearing up a few issues.

7. **CALL TO THE PUBLIC:** None.

8. **UNFINISHED BUSINESS:**

9. **NEW BUSINESS:**

A. Information, discussion and possible action: Information and discussion only:
Presentation and discussion regarding the Economic Development Administration Community Needs Assessment Grant.

Mr. Brad Mecham, Central Arizona of Governments Economic Development and Planning Manager, gives presentation to Council regarding the Economic Development Administration

Community Needs Assessment Grant. Mr. Mecham comments on general methodology of the grant and what they will do with the grant. Mr. Mecham discusses outreach and community participation and explains the timeline for the grant.

Councilmember Black states that in accordance with Town ordinance, items B, D, F, G and H have to be tabled because the agenda item forms have not been signed. They must be signed by the Mayor, Town Manager or 2 Council Members. Town Attorney Goodwin states she will need to take a look at that, if the Mayor can give her a break she will find out. Mayor Dalley moved to take a 5 minutes recess. Seconded by Councilmember Hanson. Mayor Dalley calls for the vote. Vote – 7 in favor. MOTION PASSED. Recessed at 7:33 p.m.

Council reconvenes at 7:37 p.m.

Town Attorney Goodwin states she believe that Councilmember Black is referring to Council Rules and Procedures 4.1 A. Town Attorney states the 4.1 A. provides that items may be placed on Councils agenda for discussion and possible action by: 1) the Mayor 2) 2 Council Members or 3) the Town Manager. The cover sheet does not have to be initialed by all four and the cover sheet doesn't have to be initialed by the person who places it on the agenda. She believes that is an internal policy and she believes that if we are going to do it that way, we should do it regularly, but it does not preclude it from being on the agenda, so Council can proceed with the items.

B. Information, discussion and possible action: To approve Intergovernmental Agreement (IGA) between Gila County Community College District and Town of Miami for small projects services.

Town Manager Heatherly presents this item to Council and explains that this will facilitate us to work with the college to take on some small projects around town. Councilmember Medina moved to approve Intergovernmental Agreement (IGA) between Gila County Community College District and Town of Miami for small projects services. Seconded by Councilmember Castaneda. **Councilmember Black states that he is going to excuse himself from this meeting – 7:46 p.m.** Mayor Dalley calls for the vote. Vote – 6 in favor and 1 member excused (Councilmember Black). MOTION PASSED.

C. Information, discussion and possible action: To approve Ordinance No. 361, related to requiring annual licenses fees to be paid no later than January 1 of each year.

Town Manager Heatherly presents this Ordinance to Council explaining the minor changes to the licensing code. Brief discussion regarding when the late fees start as the ordinance is, before any changes are approved. Councilmember Mancha II moved to approve Ordinance No. 361, related to requiring annual licenses fees to be paid no later than January 1 of each year. Seconded by Councilmember Hanson. Mayor Dalley calls for the vote. Vote – 6 in favor, 1 member excused (Councilmember Black). MOTION PASSED.

D. Information, discussion and possible action: To approve amendment to the transit yard lease agreement, dated December 9, 2015, between Raymond Webb and Karen Donaldson-Webb and the Town of Miami to provide for late payment fees.

Town Manager Heatherly asks Council to table this item because he is still working on the wording for the amendment to the agreement. Councilmember Medina moved to table this item. Seconded by Councilmember Hanson. Mayor Dalley calls for the vote. Vote – 6 in favor and 1 member excused (Councilmember Black). MOTION PASSED.

E. Information, discussion and possible action: Review and possible direction to staff regarding the right of way permit application and fees.

Code Enforcement Officer Derhammer presents this item to Council explaining that there have been questions raised regarding the construction inspection fee and the amount of 5%. Town Manager Heatherly states he thinks we have to change the 5%, it is way too high, thinks it likely should have been .5%. Town Manager Heatherly comments that it is a common practice for municipalities to waive the fee when projects are being done on their behalf. Brief discussion regarding this issue. Brief discussion and comments regarding going with a flat or hourly rate vs. the percentage. Town Manager Heatherly clarifies that this is only pertaining to right of way permits application and fees. Code Enforcement Officer Derhammer states right now he is looking for direction from Council as to where to go with this, then something will be prepared and brought back to Council for their review and possible approval. Councilmember Hanson moved give direction to staff to work on something to bring back to Council, whether a retroactive date is included or not. Seconded by Councilmember Medina. Mayor Dalley calls for the vote. Vote – 6 in favor and 1 member excused (Councilmember Black). MOTION PASSED.

F. Information, discussion and possible action: Appointment of a 5 member Town of Miami Police Department Personnel Board to serve a one year term **or authorization of appointment of an independent hearing officer to hear a pending personnel matter.**

Town Attorney Goodwin explains that while working on a post termination appeal of a decision to terminate an employee, a police officer, the Town's Personnel Policy provides for appeal to a 3 member board. It was discovered that the Town's Police Department Standard Operating Procedures provide for a 5 member personnel board. The attorney for the police officer has objected to the 3 member board. Town Attorney Goodwin agrees that it should be a 5 member board. In discussions with the officers attorney was the option for an independent hearing officer. Town Attorney Goodwin states that there are a couple of strategic and legal reasons why we would want to consider going with an independent hearing officer rather than a board. Town Attorney Goodwin explains the reasons to Council. Brief discussion regarding how much it may cost; up to \$5,000.00 but would expect it to be around a couple thousand dollars. Open discussion and comments regarding going with a 5 member board or an independent hearing officer. Vice Mayor Gonzales asks if there's a conflict with the Town paying the independent hearing officer, would that not be biased? Discussion and comments regarding a 5 member board needing legal counsel to assist with the hearing.

Councilmember Mancha excuses himself from the meeting at 8:08 p.m.

Discussion regarding appointing a board of 5 members that are familiar in this area such officers from other agencies and possible lack of availability. Town Attorney Goodwin states that she believes even with that type of board they would still need independent legal counsel to answer any questions that may come up. Discussion regarding an independent hearing officer attending the hearing via skype or telephonically to help alleviate costs. Discussion regarding the time sensitivity of this issue. Councilmember Hanson moved for a hearing officer, Joe and staff along with Attorney Goodwin and her staff to put together something to get a hearing officer in place for this particular case; thereafter we will know and gage to go with a 5 member panel, possibly. Seconded by Councilmember Medina. Mayor Dalley calls for the vote. Vote – 5 in favor and 2 members excused (Councilmember Black and Councilmember Mancha II). MOTION PASSED.

G. Information and discussion only: Progress report regarding renovation of the Miami Hostetler Swimming Pool.

Town Manager Heatherly reports on the progress of the renovation of the Miami Hostetler Swimming Pool. Brief discussion on the timeline of when the pool will be open.

H. Information and discussion only: Update and progress report regarding the Town of Miami Sewer Replacement Project.

Town Manager Heatherly gives a brief update on the sewer replacement project and reports on the current progress of project Phases 3, 4, and 5. Brief discussion regarding road replacement when the project is completed. Brief discussion regarding how much is in contingency for Phases 3, 4 and 5; Town Manager Heatherly thinks it is about \$600,000.

10. CALL TO THE COUNCIL:

Mayor Dalley states that the Copper Corridor Mayor's meeting scheduled for tomorrow has been cancelled. Announces the Memorial Day Ceremony in Veteran's Memorial Park on May 28th at 9:00 a.m.

Councilmember Medina thanks everyone for coming to the Council meeting.

11. ADJOURNMENT:

Councilmember Castaneda moved to adjourn the meeting. 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.

Meeting adjourned at 8:51 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 14th day of May, 2018.

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

DATED this 11th day of June 2018.



Karen Norris, Town Clerk

APPROVED:



Darryl Dalley, Mayor