



MINUTES

TOWN OF MIAMI

REGULAR MEETING OF THE MAYOR AND COUNCIL MONDAY, OCTOBER 8, 2018 AT 6:30 PM

1. CALL TO ORDER:

Mayor Dalley calls the meeting to order at 6:30 p.m.

2. PLEDGE OF ALLEGIANCE/INVOCATION:

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

Mayor Dalley recognizes Globe Councilmember Freddy Rios is present.

3. ROLL CALL OF COUNCIL MEMBERS:

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

EXCUSED: Councilmember Medina.

STAFF PRESENT: Town Manager Heatherly, Town Attorney Goodwin, Town Clerk Norris, Police Chief Juarez, Gila County Sheriff's Department Lieutenant Virgil Dodd, Librarian Sue Pontel and Public Works Director Tom Moreno.

4. CONSENT AGENDA:

- A. Consideration and possible action to approve Minutes of the September 24, 2018 Regular Council Meeting.

Councilmember Hanson moved to approve the minutes of the September 24, 2018 regular Council meeting. Seconded by Councilmember Castaneda. Mayor Dalley calls for the vote. Vote – Mayor Dalley – yea, Vice Mayor Gonzales – yea, Councilmember Black – yea, Councilmember Castaneda – yea, Councilmember Hanson – yea, and Councilmember Medina – excused. MOTION PASSED.

- B. Consideration and possible action to approve the Town Payroll for September 23, 2018.

Councilmember Black moved to approve the Town Payroll for September 23, 2018. Seconded by Councilmember Hanson. Mayor Dalley calls for the vote. Vote – Mayor Dalley – yea, Vice Mayor Gonzales – yea, Councilmember Black – yea, Councilmember Castaneda – yea, Councilmember Hanson – yea, and Councilmember Medina – excused. MOTION PASSED.

C. Consideration and possible action to approve Cities and Towns Week 2018 Proclamation.

Councilmember Hanson moved to approve Cities and Towns Week 2018 Proclamation. Seconded by Vice Mayor Gonzales. Mayor Dalley calls for the vote. Vote – Mayor Dalley – yea, Vice Mayor Gonzales – yea, Councilmember Black – yea, Councilmember Castaneda – yea, Councilmember Hanson – yea, and Councilmember Medina – excused. MOTION PASSED.

5. APPROVAL OF DEMANDS AND PRESENTATION OF BUDGET REPORTS:

A. Consideration and possible action to approve the General Demands for September 20, 2018 to October 4, 2018.

Councilmember Castaneda moved to approve the general demands for September 20, 2018 to October 4, 2018. Seconded by Mayor Dalley. Mayor Dalley calls for the vote. Vote – Mayor Dalley – yea, Vice Mayor Gonzales – yea, Councilmember Black – yay, Councilmember Castaneda – yea, Councilmember Hanson – yea, and Councilmember Medina – excused. MOTION PASSED.

B. Review and discussion of Accounts Payable Aging Report through September 2018.

Town Manager Heatherly reviews the account payable aging report through the month of September 2018.

C. Review and discussion of Revenues/Expenditures report for activities of September 2018.

Town Manager Heatherly reviews the revenues for September 2018; nothing alarming on the revenue side. Brief review of expenditures report for September 2018; we are currently at 17.5% of the budget.

D. Review and discussion of the recap of financial activity report for September 2018.

Town Manager Heatherly reviews the recap of financial activity report for September 2018.

6. REPORTS / RECOGNITIONS:

A. Department Reports.

Librarian Sue Pontel gives the Library statistics and activity report for the month of September 2018.

Public Works Director, Tom Moreno, reports on Public Works Department activity for the month of September 2018.

Gila County Sheriff's Department Lieutenant Dodd comments on the Miami Police Department and the upcoming changes; feels they are headed in the right direction. Lieutenant Dodd states that he is proud of the newly hired Miami Police Chief Israel Juarez.

Police Chief Juarez introduces himself and gives a brief history of his law enforcement career. Chief Juarez gives the Police Department statistics and activity report for October 1, 2018 to October 7, 2018.

B. Town Manager Report.

Town Manager Heatherly states that he would like to give a special thank you to Gila County and Sheriff Shepherd for their assistance to the Town of Miami and thank you to Lieutenant Dodd for all his help during this transition. Town Manager Heatherly reports that the Utility Department is doing well and will be submitting reports to the State for the Debt Set Off Program. Town Manager Heatherly reports that Public Works have fixed a big crack in the sidewalk by the Emporium building and smoothed out a few more of the tripping hazards on the sidewalks. Reports the Police Department has completed and submitted the 12D Grant Application. There will be a community meeting tomorrow at the Tri City Fire Department by Supervisor Humphrey at 5:00 p.m. Announces that the Town audit has been started.

C. Mayor/Council Reports.

Councilmember Hanson reports that the Miami Holiday Fest will be starting in the Miami Senior Center parking lot. It is for anyone who wants to sell art, antiques, junk, etc. The spaces are free for Town of Miami community members. Councilmember Hanson comments regarding new Police Chief Juarez; she is thrilled and the Department has been long needing and it is wonderful that Chief Juarez has come to our aid.

Mayor Dalley briefly reports on the Southwest Gas training for emergency response that he and Public Works Director, Tom Moreno attended. Reports on the Ribbon Cutting Ceremony for the Head Start School he and Councilmember Medina attended. Reports briefly regarding meeting with Town Manager Heatherly to discuss the sewer project and other pending issues. Announces the Globe/Miami football game next week and meeting with various entities to discuss precautions regarding the issues that may come up during the time of the rivalry football game. Report on the fire that happened due to a helium balloon this past weekend. Announces the Globe/Miami Junior High football game on Wednesday night. Mayor Dalley states he will be out for a couple of days due to a medical procedure he will be having tomorrow.

7. CALL TO THE PUBLIC:

Mrs. Beatrice Cordero, Miami resident, states that she has met the new Police Chief and feels positive about the good things that will be taking place. Mrs. Cordero comments on the local drug activity and gives some ideas and suggestions on how to slow that activity down.

8. UNFINISHED BUSINESS:

- A. Information, discussion and possible action:** To award the Street Improvement Project, CDBG Grant No. 143-17, bid and authorize signing of such contract or reject all bids and direct staff to rebid the project.

Town Manager Heatherly states that the summary of the bid results are in the Council packets for their review. It is recommended to award the bid to Accelerated Construction. Accelerated Construction's base bid came in at \$315,421.95. Originally the project included 6 streets and if the bids came in low enough they were going to try and add in 2 additional items. The first being to improve the Sykes Alley drainage and the other was to do drainage on Canyon Avenue. The bids came in and will not facilitate doing either one of those additional projects. The total amount of funds available for the project is \$318,000.00. Vice Mayor Gonzales asks if there is any contingency money provided for this project in case something happens. Town Manager Heatherly states that we just have the \$300,000.00 so anything over that we would have to figure out how to make that up out of the general fund. Councilmember Hanson moved to award the Street Improvement Project, CDBG Grant No. 143-17 to Accelerated Construction. Seconded by Councilmember Castaneda. Mayor Dalley calls for the vote. Vote – Mayor Dalley – yea, Vice Mayor Gonzales – yea, Councilmember Black – yea, Councilmember Castaneda – yea, Councilmember Hanson – yea, and Councilmember Medina – excused. MOTION PASSED.

9. NEW BUSINESS:

- A. Information, discussion and possible action:** To approve proposed new Miscellaneous and Travel Expenses Reimbursement Policy – Policy No. TOM-FIN-002.

Town Manager Heatherly presents this item to Council for review and approval. Town Manager Heatherly briefly reviews the proposed policy and some of its content. Vice Mayor Gonzales states that he would like to see written in the Policy that once the reimbursement forms are submitted the reimbursement will take place within 2 weeks of receiving and approval of the forms. Town Manager Heatherly states that he thinks that it is in there but he will check and make sure. Councilmember Hanson moved to approve the proposed new Miscellaneous and Travel Expenses Reimbursement Policy – Policy No. TOM-FIN-002. Seconded by Councilmember Castaneda. Mayor Dalley calls for the vote. Vote – Mayor Dalley – yea, Vice Mayor Gonzales – yea, Councilmember Black – yea, Councilmember Castaneda – yea, Councilmember Hanson – yea, and Councilmember Medina – excused. MOTION PASSED.

- B. Information and discussion only:** Introduction and discussion regarding appointment of Mr. Israel Juarez as Town of Miami Police Chief; brief overview of new changes to operations and procedures within the Police Department.

Town Manager Heatherly states he believes we covered this earlier. Town Manager Heatherly states he thinks we are going to start seeing some tremendous improvement to the Police Department. They are now working on updating the Operating Procedures for the Police Department. Updated Policies will be brought before Council in sections for their review and

approval. Councilmember Black asks when did we changed from Council hiring the Police Chief to the Town Manager hiring the Police Chief. Town Manager Heatherly states the Council never hired the Police Chief, there are only 2 employees that are "at will", the Police Chief is not one of them. Councilmember Black states he would like to address that at a future date. Mayor Dalley welcomes the new Police Chief.

C. Information, discussion and possible action: To take appropriate action related to several incidents which occurred during the preparation and in conjunction to the recent local "Wings of Hope" event in the Town of Miami.

Town Manager Heatherly reads aloud a letter he has written to Ms. Monic Perez regarding the incidences that took place during the Wings of Hope Event. The letter explains that the Town of Miami does not condone that type of behavior and it is not representative of the Miami community. Also, the Town of Miami is implementing several changes to the planning, coordinating and monitoring of event activities to limit the potential of something like this happening again. Councilmember Hanson asks if we can add something in the letter stating that we would like for her to bring her event back to the Town again. Vice Mayor Gonzales asks if he can sign the letter as well to show his support in letting Ms. Perez know we are taking action. Council agrees and would all like to sign the letter. Mr. Ray Webb, Miami resident, explains some procedures they used for events when he was on Council a few years back and is happy to share this and any forms he has with the Town to help with the implementation of the changes. Councilmember Black moved to approve sending the letter to Ms. Perez. Seconded by Councilmember Hanson. Mayor Dalley calls for the vote. Vote – Mayor Dalley – yea, Vice Mayor Gonzales – yea, Councilmember Black – yea, Councilmember Castaneda – yea, Councilmember Hanson – yea, and Councilmember Medina – excused. MOTION PASSED.

D. Information, discussion and possible action: Review and discussion regarding the possible appointment of Patricia Bringhurst to fill the vacant Council seat of Ruben Mancha II.

Town Manager Heatherly states approximately 2 weeks ago he received a letter of resignation from the Miami Town Council from Ruben Mancha II. Councilmember Black states that ordinarily Council would take applications for a vacant seat, not only that we have two seated Councilmembers for a couple more meetings and then a changing of seats for the new Council to come on, he feels it should be, in part, their decision, to review any applications for a Council seat. Councilmember Black states we also have a gentleman who ran for Council, who was not elected, he put out the effort to run for Council so he should be considered. Councilmember Black states he feels Council should put it out there and take applications for people who wish to be considered for the vacant seat. Councilmember Castaneda states they have not taken applications for appointments in the past. When Vice Mayor Gonzales came on Council she was Mayor and she appointed him to the vacant seat. Brief discussion regarding how appointments took place in the past. Ms. Patty Warden, Miami resident (177 S. Reppy Ave.), states she has a problem with this as well. Ms. Warden states that appointing someone to the seat takes away from "we the people's" voice. Ms. Warden states that we have elections for a reason and we want our voices back. Ms. Warden asks Council to leave this appointment to the next Council since this is the next to their last Council meeting. Mayor Dalley explains the

process of how he was appointed to Council. Councilmember Castaneda moved to appoint Patricia Bringhurst to fill the vacant council seat of Ruben Mancha II. Seconded by Councilmember Hanson. Vice Mayor Gonzales asks the town attorney if there are any rules or procedures for appointing someone to a vacant seat. Town Attorney Goodwin states that the statute just states that the "Council shall fill the vacancy", it does not provide how and different Councils do it differently, this is within the statute. There is no specific Miami Policy on this. Vice Mayor Gonzales asks if there is a time limit on this. Town Attorney Goodwin states the statute does not contain a time limit, she always advises Councils that it should be within a reasonable time. Mayor Dalley states that he made the recommendation of Patricia Bringhurst and the Town Manager just made the agenda item. Councilmember Black states that Council was not asked for their input on this item, it seems like it is just Mayor Dalley and Joe appointing someone to Council. Discussion regarding the email that went out regarding Councilmember Mancha's resignation, Council could have put in their input at that time. Councilmember Black asks why an email was not sent out to everyone so they would know. Councilmember Black states he did know they were going to appoint someone before the new Council took office. Town Attorney Goodwin states the statute states that the vacancy be filled until the next election, please add that to the motion. Councilmember Castaneda states she will amend her motion to include that. Councilmember Hanson seconded the amendment, until the regular election of 2020. Vice Mayor Gonzales states he feels Patty will do well on the Council and he is not opposed to her appointment but he was not aware and does not think the community was aware, for any other prospects that would be interested in applying. Vice Mayor Gonzales states that he don't like the way this was conducted. Discussion regarding when the packets are ready for Council to pick up. Discussion regarding when changes can be made to the agenda. Town Attorney Goodwin states that agendas can be changed up until 6:30 p.m. Saturday night prior to the Council meeting. Mayor Dalley calls for the vote. Vote – Mayor Dalley – yea, Vice Mayor Gonzales – nay, Councilmember Black – nay, Councilmember Castaneda – yea, Councilmember Hanson – yea, and Councilmember Medina – excused. MOTION PASSED.

E. Information and discussion only: Review and discussion regarding the Miami Wastewater Collection System Improvement Project Phase 2 and Phase 3-5

Town Manager Heatherly gives a brief update on the sewer project for Phases 3-5. Town Manager Heatherly explains there will be a change order coming before Council which will result in a credit. They will be adding 12 days to the estimated project completion date. Town Manager Heatherly gives an update on the issues happening on Milton Street. Update on Cactus Street. Town Manager Heatherly comments on some of the issues involving Southwest Gas and Arizona Water Company and that they are cooperating to solve those issues. Town Manager Heatherly states there will be a presentation at the next meeting on the plans for repair of the roads. Councilmember Black asks the Town Attorney where we are with Phase 2. Town Attorney Goodwin states we can plan an executive session to discuss where we are with that litigation. (second meeting in November) Councilmember Black asks when can we start getting some work done on Canyon Avenue, he would like the Town to start doing some maintenance on that street. Councilmember Hanson comments on some of the privately owned streets in Town and asks Town Manager Heatherly if he can make a list of those streets so when someone asks why that street isn't fixed or maintained we can show that it is not a

Town street, it is a privately owned street. Town Manager Heatherly gives an update on Depot Hill. Discussion regarding starting the CIPP process.

10. **CALL TO THE COUNCIL:** No response.

11. **ADJOURNMENT:**

Councilmember Black moved to adjourn the meeting. Seconded by Councilmember Hanson. Mayor Dalley calls for the vote. Vote – Mayor Dalley – yea, Vice Mayor Gonzales – yea, Councilmember Black – yea, Councilmember Castaneda – yea, Councilmember Hanson – yea, and Councilmember Medina – excused. MOTION PASSED..

Meeting adjourned at 8:25 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 October, 2018.

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

DATED this 22nd day of October 2018.



Karen Norris, Town Clerk

APPROVED:



Darryl Dalley, Mayor