



MINUTES

TOWN OF MIAMI

REGULAR MEETING OF THE MAYOR AND COUNCIL MONDAY, FEBRUARY 11, 2019 AT 6:30 PM

1. CALL TO ORDER:

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

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 (arriving at 6:44 p.m.), Councilmember Black, Councilmember Bringham, Councilmember Medina, Councilmember Moat, and Councilmember Reiman.

STAFF PRESENT: Town Manager Heatherly, Town Attorney Goodwin, and Town Clerk Norris.

Mayor Dalley reads aloud from the Town of Miami Town Council Rules and Procedures Revised July 9, 2012:

Section 3.8 Conduct and Decorum

A. Members:

1. Any Member desiring to speak shall address the Presiding Officer and, upon recognition by the Presiding Officer, may speak. The Presiding Officer shall not unreasonably withhold such recognition; however, the Presiding Officer may call for a vote as to whether to continue a repetitive discussion or motion.
2. When two or more Members wish to speak, the Presiding Officer shall determine the order of speaking and recognize the first speaker.
3. While a Member is speaking, no other Member shall interrupt except to make a point of order or point of personal privilege. A point of order is raised when a Member raises a question of whether there has been a breach of the procedures. A point of privilege is raised when a disturbance occurs or when anything affecting the rights of the Members occurs and a Member states the problem; the Presiding Officer decides the question.

4. When a motion is made and seconded, the Presiding Officer shall ensure that the debate is confined to the motion.
5. The Town Council or Board, Commission or Committee may limit debate on any matter before it to 20 minutes. This time limit may be lengthened by a majority vote.
6. Council Members shall conduct themselves with dignity and respect toward other Council members and members of the public and shall be respectful of the opinions of others, whether or not they agree with those opinions, always bearing in mind that the Town Council acts by a vote of a majority of its members. The Town Council shall not tolerate harassment, personal attacks, or discrimination against each other or by members of appointed Boards, Commissions, or Committees. Any Town Council appointee who violates this provision is subject to removal by a majority vote.
7. If a Member acts in violation of these rules, the Presiding Officer shall, or any Member may, call that Member to order. The Member so called shall immediately cease speaking, but may appeal to the Town Council or Board, Commission or Committee, as applicable. Any such appeal shall be decided by a majority vote without debate.
8. Personal differences between individual Council members should be resolved privately through mediation with the Town Manager or Mayor or with a mediator agreed upon by the parties.
9. Council members shall not make a request of the Town Attorney or the Town Manager that involves significant legal fees or Staff time without the concurrence of the Mayor or formal action by the Council.
10. A minority of the Council members shall not represent the Town in an official capacity without the consent of the majority of Council or approval by the Town Manager.
11. Action taken by a majority vote of Council shall not be revisited unless it is placed on a future Council meeting agenda for reconsideration by the majority of the Council.

4. CONSENT AGENDA:

- A. Consideration and possible action to approve Minutes of the January 28, 2019 Regular Meeting and February 1, 2019 Special Council Meeting.
- B. Consideration and possible action to approve the Town Payroll for January 27, 2019.

Councilmember Medina moved to approve the consent agenda. Seconded by Councilmember Reiman. Mayor Dalley calls for the vote. Vote – Mayor Dalley – yea, Vice Mayor Gonzales – excused, Councilmember Black – yea, Councilmember Bringham – yea, Councilmember Medina – yea, Councilmember Moat – yea, and Councilmember Reiman – yea. MOTION PASSED.

5. APPRVAL OF DEMANDS AND PRESENTATION OF BUDGET REPORTS:

A. Consideration and possible action to approve the General Demands for January 25, 2019 to February 7, 2019.

Councilmember Medina moved to approve the general demands for January 25, 2019 to February 7, 2019. Seconded by Councilmember Bringhurst. Mayor Dalley calls for the vote. Vote – Mayor Dalley – yea, Vice Mayor Gonzales – excused, Councilmember Black – yea, Councilmember Bringhurst – yea, Councilmember Medina – yea, Councilmember Moat – yea, and Councilmember Reiman – yea. MOTION PASSED.

6. REPORTS / RECOGNITIONS:

A. Town Manager Reports.

Town Manager Heatherly gives a brief report regarding pursuing bridge loan funding in case the Federal government shuts down this Friday. Reports that he met with a banking company this afternoon regarding funding as well. Comments on the agreement that Council approved with AzWARN; that paper work has been processed and the Town has been accepted. A work session has been set up for this week to discuss preliminary budget issues.

Vice Mayor Gonzales arrives at 6:44 p.m.

Reports on the Rural Arizona Group Health Trust (RAGHT) insurance pool meeting him and Town Clerk Norris attended last week. The Trust members negotiated a no insurance cost increase for this next year.

B. Mayor/Council Reports.

Councilmember Medina comments briefly on a trip to Payson this weekend in which they seen what looked like some type of protest; looked like Native Americans. Comments that he teaches the machine shop for the Civic Program and today he filled in for the welding instructor. There he had 2 students from San Carlos who did not show up for class due to some type of lock down in San Carlos. Comments on the Boomtown Spree event; found another way around the issues holding up the event so he will be pursuing that this month. He does not think the event will happen this year due to limited time.

Councilmember Moat announces that CCYS Youth Basketball is in full swing and they are using the Bullion Plaza Gym. He states that he has reminded them to clean up after themselves and to keep the gym as clean as possible.

Councilmember Bringhurst comments regarding being represented at the Great Canadian Picnic. They got to spread the word for Miami, Globe and San Carlos; it was a great turn out.

7. CALL TO THE PUBLIC:

Mr. Paul Jepson, Globe City Manager, speaking to Council tonight as a member of the Cobre Valley Aquatic Center Committee. Mr. Jepson announces that this Wednesday at 2:00 p.m. the Senate Finance Committee meeting at the capitol, Bill 1257 will be heard in Committee. This is regarding the aquatic center for the special district secondary tax. This tax is just for funding the maintenance purposes of the center. This project is still at least 5 years out.

8. UNFINISHED BUSINESS:

9. NEW BUSINESS:

A. Information and discussion only: CDBG Project No. 143-17 Street Improvement Project.

Town Manager Heatherly explains that he put a summary of the project along with some pictures in the Council packets. Kent Street and Mill are looking great. Town Manager Heatherly explains how the construction of the roads provide for drainage and water diversion. This is going to help with water erosion problems on the roads. Town Manager Heatherly explains the importance of keeping water off the streets and out from underneath them. Town Manager Heatherly explains some small changes in the project scheduling, but it will not hurt anything or increase the cost. Vice Mayor Gonzales comments that he will be impressed if the drainage keeps the debris off the Highway 60. Brief discussion regarding the drainage and where the water is diverted for drainage.

B. Information, discussion and possible action: To approve, subject to funding agency concurrence, payment application for Hilgart Wilson, in the amount of \$48,949.50 for sewer project related expenses Phases 3-5 expenditures for HilgartWilson.

Town Manager Heatherly presents this item to Council and explains that we are presenting these three items to Council out of normal sequence in order to process them quickly in the event the Federal government shuts down this Friday. These items will be taken to the Wastewater Advisory Board at their next meeting for their information. Councilmember Medina moved to approve, subject to funding agency concurrence, payment application for Hilgart Wilson, in the amount of \$48,949.50 for sewer project related expenses Phases 3-5 expenditures for HilgartWilson. Seconded by Councilmember Reiman. Mayor Dalley calls for the vote. Vote – Mayor Dalley – yea, Vice Mayor Gonzales – yea, Councilmember Black – yea, Councilmember Bringham – yea, Councilmember Medina – yea, Councilmember Moat – yea, and Councilmember Reiman – yea. MOTION PASSED.

C. Information, discussion and possible action: To approve, subject to funding agency concurrence, payment application for KE&G, in the amount of \$547,436.01 for sewer project work completed.

Town Manager Heatherly presents this item to Council and explains this is the same scenario with this item. Councilmember Medina moved to approve, subject to funding agency concurrence, payment application for KE&G, in the amount of \$547,436.01 for sewer project work completed. Seconded by Councilmember Reiman. Mayor Dalley calls for the vote. Vote - Mayor Dalley – yea, Vice Mayor Gonzales – yea, Councilmember Black – yea, Councilmember Bringham – yea, Councilmember Medina – yea, Councilmember Moat – yea, and Councilmember Reiman – yea. MOTION PASSED.

D. Information, discussion and possible action: To approve, subject to funding agency concurrence, payment application for Town of Miami, in the amount of \$9,482.91 for sewer project related expenses.

Town Manager Heatherly presents this item to Council and notes for the Town Clerk to put the next item on this agenda before the pay applications from now on. Town Manager Heatherly explains the big expenditure on this item was to pay Jonovich to come out and connect some lines that were found not connected to a line. This happened on Phase 2 of the project and the Town is noting these mistake and expenses so that we can add to the list of poor workmanship issues caused by faulty work and construction management. Brief discussion regarding inspection of the sewer lines. Councilmember Medina moved to approve, subject to funding agency concurrence, payment application for Town of Miami, in the amount of \$9,482.91 for sewer project related expenses. Seconded by Councilmember Reiman. Mayor Dalley calls for the vote. Vote – Mayor Dalley – yea, Vice Mayor Gonzales – yea, Councilmember Black – yea, Councilmember Bringham – yea, Councilmember Medina – yea, Councilmember Moat – yea, and Councilmember Reiman – yea. MOTION PASSED.

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

Town Manager Heatherly states a deposition took place last week with the son of the owner of Kinkade but he does not know the status of that. There will be another deposition next week and a mediation hearing in March. Town Manager Heatherly explains that he reported earlier in this meeting on the alternative bridge loan funding. Mr. Jesse Grinsteiner of KE&G gives a progress report for Phases 3-5. Vice Mayor Gonzales asks if they can take a look at Woodrow and Pinal streets because there was work done up there and the streets were not repaired to original condition. Mr. Grinsteiner states that work was done by Arizona Water or Southwest Gas, but with that, they are not done with those areas yet. Vice Mayor Gonzales states also, there are 2 manholes on Pershing Circle that have been installed deeper than the pavement with just traffic cones put in them and feels they could be dangerous or cause damage if someone was to hit those holes. Mr. Grinsteiner states they might be able to put some fill dirt in there for now because they are still working in that area and don't want to put the pavement in until they are sure they are not going to be digging that area up again.

F. Information, discussion and possible action: To recess into and hold executive session:

- a) Pursuant to A.R.S. §38-431.03 (A) (1) for discussion or consideration of employment, assignment, salary, promotion, demotion or discipline of Town Clerk, Karen Norris.

Councilmember Medina moved to recess into and hold executive session pursuant to A.R.S. §38-431.03 (A) (1) for discussion or consideration of employment, assignment, salary, promotion, demotion or discipline of Town Clerk, Karen Norris. Seconded by Councilmember Black. Vice Mayor Gonzales notes for the record that he recues himself from going into the executive session. Mayor Dalley calls for the vote. Vote – Mayor Dalley – yea, Vice Mayor Gonzales – recues, Councilmember Black – yea, Councilmember Bringham – yea, Councilmember Medina – yea, Councilmember Moat – yea, and Councilmember Reiman – yea. MOTION PASSED.

Recessed into executive session at 7:21 p.m.

Reconvene from executive session at 7:44 p.m. All members present.

G. Information, discussion and possible action: To approve renewal of employment contract for Town Clerk, Karen Norris.

Mayor Dalley states that Town Clerk Norris is asking for a 5 year contract and a 10 percent wage increase. Councilmember Black moved to extend Karen Norris's contract for 5 years with a 10 percent increase in pay effective February 10th, when she signs her contract to have her job description in the Town Code. Seconded by Councilmember Medina. Mayor Dalley states for the record that she works at the will of the Council and the contract is not a binding thing that she has to stay here 5 years, but provides job security as she was looking for. Vice Mayor Gonzales recuse himself from voting on this item. Mayor Dalley calls for the vote. Vote – Mayor Dalley – nay, Vice Mayor Gonzales – recuse, Councilmember Black – yea, Councilmember Bringham – yea, Councilmember Medina – yea, Councilmember Moat – yea, and Councilmember Reiman – nay. MOTION PASSED.

10. CALL TO THE COUNCIL:

Mayor Dalley states that he will not be here for the work session on the 13th.

Councilmember Medina thanks everyone for sticking it out for this meeting. Announces that he will be out of town the last part of this month and the first part of March.

Mayor Dalley welcomes Officer Muller back to duty and asks Police Chief Thompson to introduce newly hired Officer Merritt.

11. ADJOURNMENT:

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

Meeting adjourned at 7:48 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 **11th** day of **February**, 2019.

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

DATED this **25th** day of **February** 2019.



Karen Norris, Town Clerk

APPROVED:



Darryl Dalley, Mayor