



MINUTES

TOWN OF MIAMI

REGULAR MEETING OF THE MAYOR AND COUNCIL MONDAY, MAY 13, 2019 AT 6:30 PM

1. CALL TO ORDER:

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

2. PLEDGE OF ALLEGIANCE/INVOCATION:

Vice Mayor Gonzales led the pledge of allegiance. Councilmember Moat led the invocation.

3. ROLL CALL OF COUNCIL MEMBERS:

PRESENT: Mayor Dalley (telephonically), Vice Mayor Gonzales, Councilmember Bringhurst, Councilmember Medina (arriving at 7:06 p.m.), Councilmember Moat, and Councilmember Reiman.

EXCUSED: Councilmember Black.

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

4. CONSENT AGENDA:

- A. Consideration and possible action to approve Minutes of the April 22, 2019 Regular Meeting.
- B. Consideration and possible action to approve the Town Payroll for April 21, 2019 and May 5, 2019.

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

5. APPROVAL OF DEMANDS AND PRESENTATION OF BUDGET REPORTS:

- A. Consideration and possible action to approve the General Demands for April 10, 2019 to May 9, 2019.

Vice Mayor Gonzales asks about the gap in the check sequence. Town Manager Heatherly states he will look into that and get back him. Councilmember Reiman moved to approve the general demands for April 10, 2019 to May 9, 2019. Seconded by Councilmember Bringhurst. Vice Mayor Gonzales calls for the vote. Vote – Mayor Dalley – yea, Vice Mayor Gonzales – yea, Councilmember Black – excused, Councilmember Bringhurst – yea, Councilmember Medina – excused, Councilmember Moat – yea, and Councilmember Reiman – yea. MOTION PASSED.

6. REPORTS / RECOGNITIONS:

A. Town Manager Reports.

Town Manager Heatherly reports he met with the auditors last week. They are finishing up the final draft and will have that ready next week. Reports on meeting with ADOT last week regarding the Indirect Cost Allocation Plan (ICAP), it has been submitted and he will be meeting with them to go through it, they do not foresee any issues with it. Hope to get final approval on it in a week or two. Reports on meeting with Arizona Department of Housing (ADOH) which is where the CDBG funds come from. Reports that he is working with the consultant on the Wastewater Treatment Plant to improve operations there. Reports that the lifeguard training is completed for the pool employees; everyone passed.

B. Mayor/Council Reports.

Vice Mayor Gonzales comments that the Miami Jr./Sr. High School had a collaboration with Native Air and Tri-City Fire Department, Miami Police Department attended as well. Vice Mayor Gonzales thanks Miami Police Chief Thompson for the Miami Police Department participation. It was an excellent presentation and a positive experience for the students. Vice Mayor Gonzales thanks Town employee Kristy Regalado and the Public Works Department for working hard to have the Miami pool ready for the lifeguard training.

7. CALL TO THE PUBLIC: No response.

8. UNFINISHED BUSINESS:

A. Information, discussion and possible action: To review potential candidates and possible appointment of 5 members to the Planning and Zoning Commission.

Town Manager Heatherly presents this item to Council explaining that four people have submitted applications to sit on this board. The people who submitted applications are Delvan Hayward, Rosemary Castaneda, Brenda McLaughlin and Robert Licano. Vice Mayor Gonzales moved to appoint Rosemary Castaneda, Delvan Hayward, Brenda McLaughlin and Robert Licano to the Planning and Zoning Commission. Seconded by Mayor Dalley. Vice Mayor Gonzales calls for the vote. Vote – Mayor Dalley – yea, Vice Mayor Gonzales – yea, Councilmember Black – excused, Councilmember Bringhurst – yea, Councilmember Medina – excused, Councilmember Moat – yea, and Councilmember Reiman – yea. MOTION PASSED.

Councilmember Reiman moved to appoint Mr. Ray Webb to the remaining seat on the Planning and Zoning Commission. Seconded by Councilmember Bringhurst. Vice Mayor Gonzales calls for the vote. Vote – Mayor Dalley – yea, Vice Mayor Gonzales – yea, Councilmember Black – excused, Councilmember Bringhurst – yea, Councilmember Medina – excused, Councilmember Moat – yea, and Councilmember Reiman – yea. MOTION PASSED.

9. NEW BUSINESS:

- A. Information, discussion and possible action:** To adopt a Notice of Intent to increase Wastewater Rates and set July 22, 2019 as the date for a public hearing on the proposed increase pursuant to A.R.S.§9-511.01 and to direct the Town Clerk to post and publish the Notice as required by law.

Tashiana Jerrols, Utility Coordinator presents this item to Council. Ms. Jerrols explains that this is a proposed 2.3 percent increase. This increase is part of the USDA loan agreement and based on the rate study done by Economists.com. Brief discussion on how the proposed increase is calculated. Discussion and comments on the annual review of water usage and update of accounts. Councilmember Reiman moved to adopt the Notice of Intent to increase Wastewater Rates and set July 22, 2019 as the date for a public hearing on the proposed increase pursuant to A.R.S..§9-511.01 and to direct the Town Clerk to post and publish the Notice as required by law. Seconded by Councilmember Bringhurst. Vice Mayor Gonzales calls for the vote. Vote – Mayor Dalley – yea, Vice Mayor Gonzales – yea, Councilmember Black – excused, Councilmember Bringhurst – yea, Councilmember Medina – excused, Councilmember Moat – yea, and Councilmember Reiman – yea. MOTION PASSED.

- B. Information, discussion and possible action:** To approve the proposed Miami Police Department Uniform patch and Department logo.

Police Chief Keith Thompson presents this item to Council and explains that he feels the current patch is dated and would like to update it with the proposed designed patch. Chief Thompson states that the Police Department has been working on positive changes and updating its image and feels this would be part of doing that. Vice Mayor Gonzales states he feels it is a great time for change and likes the design of the patch. Vice Mayor Gonzales states he would like to see the word “founded” changed to “incorporated” and would also like to see the phrase “to serve and protect” on the patch as well. Councilmember Bringhurst loves the logo but feels it’s more of a school type looking logo. Councilmember Bringhurst states that she has some mockup drawings if the Police Department would consider taking a look at those. Councilmember Reiman comments briefly on his view of changing the patch and he feels if it isn’t broke, don’t fix it. Councilmember Reiman states that he also feels association of the Vandal with the Miami PD is a negative association. Councilmember Moat states that he is all for this and feels “to serve and protect” should be on the patch as well. Councilmember Medina states that he likes the patch and feels this is a good way to get a closer relationship with the Jr./Sr. high school. Mayor Dalley comments that major change for the Police Department is needed and he is all for it. Open discussion and comments regarding the design of the patch and what it symbolizes.

Councilmember Medina arrives at 7:06 p.m.

Vice Mayor Gonzales moved to approve the proposed Miami Police Department uniform patch and department logo providing that it has “to serve and protect” and “incorporated 1918”. Seconded by Mayor Dalley. Vice Mayor Gonzales calls for the vote. Vote – Mayor Dalley – yea, Vice Mayor Gonzales – yea, Councilmember Black – excused, Councilmember Bringhurst – nay, Councilmember Medina – yea, Councilmember Moat – yea, and Councilmember Reiman – nay. MOTION PASSED.

C. Information and discussion only: Review and discussion regarding Miami Police Department activities. The following activities will be discussed:

- Report on Department operation statistics;
- Report on Department improvements;
- Report on current and future grant applications;

Police Chief Thompson briefly reports on the Police Department staffing, they are currently at full staffing. Reports on grants the Police Department has applied for and will be applying for. Comments on the status of applying for the Governors’ Office of Highway Safety (GOHS) grants. Reports briefly on the 100 Club Safety Enhancement Stipend the Police Department received to purchase 7 ballistic vests. Chief Thompson reports on the Police Department’s updated look inside and out and shows slides of before and after photos. Open comments and discussion regarding the many improvements that have been taking place at the Police Department.

D. Information, discussion and possible action: To approve Resolution No. 1220, authorizing Gila County to act on behalf of the Town of Miami to prepare the Gila County Multi-Jurisdictional Hazard Mitigation Plan.

Town Manager Heatherly presents this item to Council and explains what it is for. Town Manager Heatherly states that Gila County has put together this Multi-Jurisdictional Hazard Mitigation Plan with the participation of all the local communities within Gila County. They are looking for each of the municipalities to approve and sign off on this resolution which would state to the Feds and FEMA that everyone is in agreement with this plan. It would help the town in a situation, if there was an emergency, to get funding if we are part of the agreement. Brief discussion and comments regarding how this would assist the town with emergency funding and obtaining grants. Councilmember Medina moved to approve Resolution No. 1220, authorizing Gila County to act on behalf of the Town of Miami to prepare the Gila County Multi-Jurisdictional Hazard Mitigation Plan. Seconded by Councilmember Moat. Vice Mayor Gonzales calls for the vote. Vote – Mayor Dalley – yea, Vice Mayor Gonzales – yea, Councilmember Black – excused, Councilmember Bringhurst – yea, Councilmember Medina – yea, Councilmember Moat – yea, and Councilmember Reiman – yea. MOTION PASSED.

E. Information, discussion and possible action: Approval of Intergovernmental Agreement (IGA) with the Arizona Department of Revenue (ADOR) related to Uniform Administration of the Town's Transaction Privilege Tax.

Town Manager Heatherly presents this item to Council and explains that this is an IGA with Arizona Department of Revenue for them to collect and redistribute the Transaction Privilege Tax (sales tax) for the Town of Miami. This has been reviewed by the Town Attorney. Town Attorney Goodwin states there is nothing prohibiting the Council from approving this IGA, they really pretty much have to. Councilmember Medina moved to approve Intergovernmental Agreement (IGA) with the Arizona Department of Revenue (ADOR) related to Uniform Administration of the Town's Transaction Privilege Tax. Seconded by Mayor Dalley. Vice Mayor Gonzales calls for the vote. Vote – Mayor Dalley – yea, Vice Mayor Gonzales – yea, Councilmember Black – excused, Councilmember Bringhurst – yea, Councilmember Medina – yea, Councilmember Moat – yea, and Councilmember Reiman – yea. MOTION PASSED.

F. Information and discussion only: Discussion regarding potential USDA loan amount for funding to complete partial repairs to Phase 2 sewer project work and other necessary items.

Town Manager Heatherly explains that he has put together a scope of work regarding this issue. It has been sent to Mr. Mike Leuker with USDA this morning, he has received it but has not reviewed it completely. It is to address the issues that came up with Phase 2 due to the lack of compaction and some other work that was not done properly. Basically, it will cover Sullivan Street, Plaza Street and Canyon Avenue. Town Manager Heatherly gives a brief break down of how he is proposing this now. Just for the sewer replacement he is estimating just a little over \$700,000.00. The supervision will be about \$100,000.00. Some legal costs with proceeding with the suit against Kinkade and AMEC will be about \$250,000.00. Legal review of the new loan guessing about \$40,000.00. Regarding Canyon Avenue, that is a little bit more complicated. We have some preliminary engineering drawings, by Rick Engineering, of Canyon Avenue from when it was going to be paved with the CDBG funds, but it ended up being pulled out due to cost. Town Manager Heatherly states that he has included that in the cost estimate he sent to USDA, and is going to propose, assuming Council does not have an issue with it, to negotiate with USDA to include the paving of Canyon Avenue. Based on the proposal USDA might agree to do that whole project for \$475,000.00. There will be some design work to go with that project and it is estimated at about \$50,000.00. Wants to include another \$450,000.00 for needed equipment. Town Manager Heatherly states he included at 15% contingency on the construction side of that amount as well. The total amount will be just shy of 2.4 million dollars. This is contingent upon us moving forward with this lawsuit against AMEC and Kinkade. Town Manager Heatherly explains that of that 2.4 million dollars we would probably be able to recoupe 1.8 million. The loan from USDA will be at a 2% interest rate. Open discussion and comments regarding the issues with Phase 2 of the sewer project. Brief discussion regarding if the Town would be required to go out to bid for the repair part of the project. Town Attorney Goodwin states that she did look into that issue and the Town will not be required to go out to bid again, it is being looked at like a change order. Brief discussion regarding the interest rate of the loan, it is currently 2%. Discussion regarding if this would help

solidify the lawsuit, showing that we took the loan out to make repairs to the faulty work. Town Manager Heatherly states he will keep Council posted on this issue.

G. Information and discussion only: Review and discussion regarding FY 2019/2020 Tentative Budget.

Town Manager Heatherly presents this item to Council. Town Manager Heatherly explains right now we are \$278,000 out of balance with the budget and something needs to be done. Town Manager Heatherly comments on the ICAP plan and that needs to get approved or it will cause more of a problem with balancing the budget. Town Manager Heatherly states we could pull from the Town's reserves but that is not something he wants to do. Town Manager Heatherly comments on employee salaries and possible performance incentives. Brief discussion regarding the Public Works Department being funded from the General Fund. Brief discussion on the Public Works funding allocations. Town Manager Heatherly comments on a few places he can make cuts. Brief discussion regarding overtime funds, how they are budgeted and how they are evaluated. Brief discussion regarding the timeline for approving the tentative budget and final budget.

H. Information and discussion only: Review and discussion regarding the Miami Wastewater Collection System Improvement Project Phase 2 and Phase 3-5 and CDBG Project No. 143-17.

Town Manager Heatherly gives a brief update on Phase 3-5 of the sewer project; things are looking fantastic. They are about 2 weeks behind schedule but that isn't bad given the issues that were encountered in these phases. KE&G has done a good job. Town Manager Heatherly gives Mr. Steve Flinn and Rick Powers recognition for watching and keeping an eye on this project. USDA signed off on the pavement plan and that should start in about 2 weeks, chip seal won't start until September due to the weather. Brief update on the repairs to the base of Adonis. Update on the CDBG Street Improvement Project. Slurry seal will be done around the end of May.

10. CALL TO THE COUNCIL:

Councilmember Medina announces the Memorial Day Ceremony on May 27th. Boomtown Spree has been on the back burner but will get back on that real soon. Thanks everyone for coming to the meeting.

Councilmember Moat expresses that he was upset about not being about to talk about a few things but as the meeting went on those issues got cleared up. All we can do right now is put trust in Town Manager Heatherly and make sure we get things done.

Mayor Dalley thanks the Council, the Town Manager, Town Clerk and employees for stepping up to the plate. Hats off to the Police Department, would like to see them to continue going forward and getting control of the highway and the town.

Vice Mayor Gonzales announces the Miami and Globe High School graduations on the 23rd and 24th.

11. ADJOURNMENT:

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

Meeting adjourned at 8:38 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 13th day of May, 2019.

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

DATED this 28th day of May 2019.



Karen Norris, Town Clerk

APPROVED:



Sammy Gonzales, Vice Mayor