



## MINUTES

### TOWN OF MIAMI

#### REGULAR MEETING OF THE MAYOR AND COUNCIL MONDAY, JULY 22, 2019 AT 6:30 PM

#### 1. CALL TO ORDER:

Mayor Dalley calls the meeting to order at 6:31 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, Councilmember Bringhurst, Councilmember Medina and Councilmember Moat.

**EXCUSED:** Councilmember Black and Councilmember Reiman.

**STAFF PRESENT:** Town Manager Heatherly, Town Attorney Goodwin and Accountant Steele.

#### 4. CONSENT AGENDA:

- A. Consideration and possible action to approve Minutes of the July 8, 2019 Regular Meeting.
- B. Consideration and possible action to approve the Town Payroll for July 14, 2019.
- C. Consideration and possible action to approve Child Support Awareness Month Proclamation.

Councilmember Medina moved to approve the consent agenda items A and B. Seconded by Councilmember Bringhurst. Mayor Dalley 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 – excused. MOTION PASSED.

Councilmember Medina moved to approve consent agenda item C. Seconded by Councilmember Moat. Mayor Dalley 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 – excused. MOTION PASSED.

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

- A.** Consideration and possible action to approve the General Demands for July 4, 2019 to July 18, 2019.

Councilmember Medina moved to approve the general demands for July 4, 2019 to July 18, 2019. Seconded by Mayor Dalley. Mayor Dalley 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 – excused. MOTION PASSED.

**6. REPORTS / RECOGNITIONS:**

- A.** Town Manager Reports.

Town Manager Heatherly reports that APS will start working at the Public Works yard on August 19<sup>th</sup> and should complete around the end of the year. Town Manager Heatherly comments that we have received the new equipment and training has taken place, this will come in handy with the rains coming up. Reports on the changes to the pool schedule due to school starting. Reports that he and Samantha will be going to Provo, Utah on Wednesday to meet with Caselle regarding cash allocations and general ledger. Reports that we will be sending out RFQ's (request for quotations) for 2 transit buses.

- B.** Mayor/Council Reports.

Councilmember Medina reports that his schedule is winding down and he will be able to spend more time working on Boomtown Spree.

Councilmember Moat comments that he is impressed with the work done at the bottom of Adonis Avenue.

Vice Mayor Gonzales comments on the Music in the Park event he attended; nice crowd. Gives thanks to Miami Business Alliance and the Town of Miami for making these events happen.

Mayor Dalley agrees with Vice Mayor Gonzales regarding Music in the Park. Gives thanks to the Town staff for running the concession stand. Thanks the Police Department for the work they did on the traffic accident on Reppy Avenue. Reports that he took the Police Chief to Tempe to the paint recycle center and introduced him to Rick Minor; got the Police Department some paint to finish painting the fire department side of their building. Reports that he took Richard Rosales, of APS to the Police Department to see all the work they have done there. The Police Department will be filling out a grant application to APS to finish up the work there. Comments on the work that is being done on the roads, they did a really good job on Forrest and at the bottom of Adonis Avenue.

**7. CALL TO THE PUBLIC:**

Mr. Ray Webb, Miami resident, comments that he has heard some good things about the street paving and has seen some terrible paving. Comments about Rose Road, states he doesn't know what this is all about, the Town needs to deal with that. Mr. Webb comments on the work done over by his house. Mr. Webb comments on the chipping in the asphalt, it was not rolled properly; that really needs to be checked out. As a property owner he gave an easement to run the 15 inch main through his property. He thought he would get his road put back like it originally was, it was originally paved and he is told that USDA will not pay for that. This is unacceptable and he wants it fixed. Mr. Webb states that he has never had any flooding or water issues at his property, this company has come in and have raised the road, he had to raise his yard because the Town raised the road, it is 3.5 inches taller than the road was before. The way it is constructed now, water will now run right into his building. Mr. Webb states that he did talk to the construction company regarding this. Just letting the Town know that they need to go look at this and the paving, it is not acceptable.

Mrs. Karen Donaldson-Webb, Miami resident, comments on her concern with this drainage issue and her property. Due to the sewer work that has been done there, the floor of their building is easily 6.5 to 7 inches below grade of the alley. Her yard is below that grade, the road is not sloped to channel the water out to the highway, now it is sloped to go down Cactus Alley and there is no place for the water to go. This needs to be looked at and addressed and the water flow needs to be managed.

Mr. Ed Balch, Miami Gardens resident, comments that he has a strong objection to how the Town's sewer ordinance is written. Mr. Balch states that the Town is stealing \$25.00 from him every month. Comments on the minimum charge, you cannot say something is a minimum charge and charge it as an administrative fee; it is in violation of law. Mr. Balch states the way the ordinance is written, if he uses more than 2,500 gallons of water you can't charge him that fee plus the minimum charge.

**8. UNFINISHED BUSINESS:**

**9. NEW BUSINESS:**

**A. Information and discussion only:** Presentation and report on the 2019 4<sup>th</sup> of July Parade held in Miami, AZ.

Mr. Jesse Bryant comments briefly on the event and the people who made this event possible and successful. Mr. Bryant thanks the people who helped him put this event on. Mr. Chuck Broeder will take over leadership of this event for next year. Mr. Bryant explains this is a nonprofit event. This year they sold some t-shirts that supported the Gila County Public Safety Memorial Association. The parade entry fees were donated to the Tri-City Fire Relief fund. It is announced that there will be a follow up meeting August 3<sup>rd</sup> at 9:00 am at the Miami Memorial Park. Mr. Bryant thanks the Town of Miami and Town Council for supporting this event.

**B. Information, discussion and possible action:** To approve Special Event for Special Event Liquor License application for Cobre Valley Youth Club, by Fernando Shipley, to be held Saturday, August 3, 2019; from 10:00 a.m. to 6:00 p.m. at the Bullion Plaza Gym, 150 N. Plaza Circle, Miami, AZ.

Coach Brandon Powell presents this request for approval of Special Event Liquor License to Council. Councilmember Medina moved to approve Special Event for Special Event Liquor License application for Cobre Valley Youth Club, by Fernando Shipley, to be held Saturday, August 3, 2019; from 10:00 a.m. to 6:00 p.m. at the Bullion Plaza Gym, 150 N. Plaza Circle, Miami, AZ. Seconded by Vice Mayor Gonzales. Mayor Dalley 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 – excused. MOTION PASSED.

**C. PUBLIC HEARING, DISCUSSION AND ACTION:** To hold a public hearing and adopt Ordinance No. 365, amending the Miami Town Code, Title 13 Public Services, amending Chapter 13.04 Sewer System Use Regulations, Section 13.04.124 Rates for Sewage Collection within the Town Limits of Miami related to increasing rates and charges for Wastewater Services:

Open Public Hearing ~ Mayor Dalley. 7:12 p.m.

Open Discussion and Public Comments regarding the adoption of Ordinance No. 365; to increase rates and charges for wastewater services.

Mr. Ed Balch, Miami Gardens resident, comments on how the ordinance is worded. The ordinance specifies “rates within the Town Limits”, better not raise his rates because he is outside Town of Miami limits. Mr. Balch states they already pay a \$10 fee for being outside the limits of Miami.

Close Public Hearing ~ Mayor Dalley. 7:13 p.m.

Council Discussion, Motion and Action.

Councilmember Medina comments on the need to raise the rates. Mayor Dalley briefly reviews the current rate and proposed rate. Open discussion and comments regarding the obligation and need for raising the sewer rates. Town Attorney Goodwin states that she reviewed the Notice of Intent to raise the sewer rates and it is correct because it refers to the sewer system, the ordinance is not correct because it states within the Town Limits. Page 2 of the Ordinance should say “Rates for Sewage Collection”. The next line should say “monthly fee for sewer service is set forth below”. Town Attorney Goodwin confirms this with Town Manager Heatherly, because the intent is for that rate to be consistent throughout the Town’s sewer system. Councilmember Medina moved to approve Ordinance No. 365, amending the Miami Town Code, Title 13 Public Services, amending Chapter 13.04 Sewer System Use Regulations, Section 13.04.124 Rates for Sewage Collection related to increasing rates and charges for

Wastewater Services. Seconded by Mayor Dalley. Mayor Dalley reads aloud the public notice for the sewer rate increase. Mayor Dalley 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 – excused. MOTION PASSED.

- D. Information and discussion only:** Review and discussion regarding the Town Managers monthly report for June 2019. This includes departmental operating statistics and key performance indicators, capital projects, financial results and forecasts.

Town Manager Heatherly briefly reviews the June 2019 report. We are basically at 100% of our budget. He does not see anything that is going to be a surprise financially compared to what was budgeted. Town Manager Heatherly comments on the approval from ADOT for the indirect cost allocation plan. Town Manager Heatherly states that he has been trying to get a hold of the Auditor, Scott Powell to come and give an audit presentation to Council. Hopefully it will be at the next Council meeting. Reports that the developer that is working with the school to rehab Inspiration School did not get the loan from ADOH. They are seeking external financing and if they don't get that funding they have another year that they can apply for the funding. Just about completed the DMA Boundaries for the wastewater sewer treatment. Town Manager Heatherly reviews the A/P Aging Report.

- E. Information and discussion only:** Review and discussion regarding the Miami Wastewater Collection System Improvement Project Phase 2 and Phase 3-5 and CDBG Project 143-17.

Town Manager Heatherly reports that the CDBG Project was completed at the end of May. Regarding Phase 2, we have a recommendation, and have spoken to USDA about what we are going to do with Phase 2. That will be strictly for Sullivan Street, Plaza and Canyon Avenue. Town Manager Heatherly recaps some of the issues with Phase 2 of the sewer project and the recommendation from HilgartWilson. We do not have a cost estimate of that yet. Nohe Garcia of KE&G reports on the progress of Phases 3-5 of the sewer project. Brief discussion regarding substantial completion. Open discussion and comments regarding repairing the streets.

- F. Information, discussion and possible action:** To approve, subject to funding agency concurrence, payment application for Town of Miami, in the amount of \$28,280.39 for sewer project related expenses.

Town Manager Heatherly presents this item to Council, it was recommended for approval by the Wastewater Advisory Board. Councilmember Medina moved to approve, subject to funding agency concurrence, payment application for Town of Miami, in the amount of \$28,280.39 for sewer project related expenses. Seconded by Councilmember Bringham. Mayor Dalley 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 – excused. MOTION PASSED.

**G. Information, discussion and possible action:** To approve, subject to funding agency concurrence, payment application for KE&G, in the amount of \$176,229.91 for sewer project work completed.

Town Manager Heatherly presents this item to Council, it was recommended for approval by the Wastewater Advisory Board. Councilmember Medina moved to approve, subject to funding agency concurrence, payment application for KE&G, in the amount of \$176,229.91 for sewer project work completed. Seconded by Councilmember Bringhurst. Mayor Dalley 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 – excused. MOTION PASSED.

**H. Information, discussion and possible action:** To approve, subject to funding agency concurrence, payment application for Hilgart Wilson, in the amount of \$63,195.00 for sewer project related expenses Phases 3-5 expenditures for HilgartWilson.

Town Manager Heatherly presents this item to Council, it was recommended for approval by the Wastewater Advisory Board. This will catch them up for half of May and all of June. Councilmember Medina moved to approve, subject to funding agency concurrence, payment application for Hilgart Wilson, in the amount of \$63,195.00 for sewer project related expenses Phases 3-5 expenditures for HilgartWilson. Seconded by Councilmember Bringhurst. Mayor Dalley 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 – excused. MOTION PASSED.

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

Councilmember Medina thanks everyone for coming to the meeting. Comments regarding noticing the Police Department making more traffic stops when the traffic is heavy, good to see that.

Councilmember Bringhurst comments on the Police Department working with the kids. They will start painting the bridge on Forrest on Thursday.

Vice Mayor Gonzales announces that on Tuesday the kids will be back in school, be alert in the mornings and afternoons when the buses stop.

Mayor Dalley reports on meeting with the Mayors of Payson, Globe, Winkleman and Supervisor Cline today regarding funding for a position to address the issue of homelessness in Gila County. Announces next Tuesday he and Councilmember Bringhurst will be attending a meeting at the Cobre Valley Medical Center regarding the aquatic center. Announces United Fund's gala is coming up sometime in August, you can get tickets from Mrs. Linda Oddonetto.

**11. ADJOURNMENT:**

Councilmember Medina moved to adjourn the meeting. Seconded by Councilmember Moat. Mayor Dalley 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 – excused. MOTION PASSED.

Meeting adjourned at 8:02 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 **22nd** day of **July**, 2019.

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

DATED this **12th** day of **August** 2019.



Karen Norris, Town Clerk

**APPROVED:**



Darryl Dalley, Mayor