



## MINUTES

### TOWN OF MIAMI

#### REGULAR MEETING OF THE MAYOR AND COUNCIL MONDAY, SEPTEMBER 9, 2019 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 Medina led the invocation.

**3. ROLL CALL OF COUNCIL MEMBERS:**

**PRESENT:** Mayor Dalley, Vice Mayor Gonzales, Councilmember Medina, Councilmember Moat, and Councilmember Reiman.

**EXCUSED:** Councilmember Black and Councilmember Bringhurst.

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

**4. CONSENT AGENDA:**

- A. Consideration and possible action to approve Minutes of the August 29, 2019 Special meeting.
- B. Consideration and possible action to approve the Town Payroll for August 25, 2019.
- C. Consideration and possible action to approve the reappointment of Mr. Ron Hughes and Mr. Joe Sanchez to the Municipal Property Corporation (MPC) for a 3 year term, term to expire September 2022.
- D. Consideration and possible approval of Special Event for Special Event Liquor License application for United Fund of Globe-Miami, Inc. for Miami Fiesta, by Mariano Gonzalez, to be held Saturday, September 28, 2019; from 10:00 a.m. to 11:00 p.m. at the Bullion Plaza Cultural Center and Museum, 150 N. Plaza Circle, Miami, AZ.
- E. Consideration and possible approval of National Hispanic Heritage Month Proclamation.

Mayor Dalley moved to remove Item C from the Consent Agenda and table it until the next meeting. Seconded by Vice Mayor Gonzales. Mayor Dalley calls for the vote. Vote – Mayor Dalley – yea, Vice Mayor Gonzales – yea, Councilmember Black – excused, Councilmember Bringhurst – excused, Councilmember Medina – yea, Councilmember Moat – yea, and Councilmember Reiman – yea. MOTION PASSED.

Mayor Dalley reads the National Hispanic Heritage Month Proclamation aloud. Councilmember Medina moved to approve the consent agenda items a, b, d & e. Seconded by Councilmember Reiman. Mayor Dalley calls for the vote. Vote – Mayor Dalley – yea, Vice Mayor Gonzales – yea, Councilmember Black – excused, Councilmember Bringhurst – excused, 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 August 23, 2019 to September 5, 2019.

Vice Mayor Gonzales asks about the payment to MV Enterprises on page 2 of the report; Joshua Derhammer, what vehicle does he drive that the Town provides gas for. Town Manager Heatherly states he will check and get back to Vice Mayor Gonzales. Councilmember Reiman moved to approve the general demands for August 23, 2019 to September 5, 2019. Seconded by Councilmember Medina. Mayor Dalley calls for the vote. Vote – Mayor Dalley – yea, Vice Mayor Gonzales – yea, Councilmember Black – excused, Councilmember Bringhurst – excused, Councilmember Medina – yea, Councilmember Moat – yea, and Councilmember Reiman – yea. MOTION PASSED.

**6. REPORTS / RECOGNITIONS:**

- A.** Town Manager Reports.

Town Manager Heatherly reports that the Department of Motor Vehicles will be closed the 16<sup>th</sup> to the 20<sup>th</sup>; the State is going to be rehabbing and updating their computer system. Reports on meeting in Winkelman that the Mayor, Community Services Director Kristy Regalado and he attended. The meeting was regarding the Brownsfield Grant and establishing a Copper Corridor Coalition to apply for those grants. Reports that ADOT has started working on the Pinto Creek Bridge and will keep Council updated on that project. Reports that staff is continuing to work on the Special Income Survey. Reports on the Wings of Hope event that took place in town this past weekend. Reports on meeting with Tri City Fire District that he and Mayor Dalley attended; trying to expand that district to cover the Town of Miami.

- B.** Mayor/Council Reports.

Councilmember Medina comments regarding the flags on the local municipal buildings. Announces that he is still making progress on Boomtown Spree. Comments on being part of

the historic building tour, talking about history at the YMCA. Comments on doing research on local hero Joe Compos and some of the controversy of that issue.

Councilmember Moat reports briefly on the Wings of Hope Car Show.

Councilmember Reiman reports briefly on the Wings of Hope Car Show. Comments on how well organized it was and well behaved everyone was. The event was well attended.

Mayor Dalley announces that the Miami Vandal's football team is 2 and 0. Mayor Dalley thanks Town staff who helped to put the car show event together and who worked the event, they did a great job. Mayor Dalley states the car show was a very good show this year. Also, that he passed out Fiesta vendor applications while at the car show to try and get more vendors to participate in the Fiesta event. Mayor Dalley comments that Fiesta will be a great show and will have a parade this year.

**7. CALL TO THE PUBLIC:**

Mrs. Karen Donaldson-Webb, Miami resident, comments that she was impressed with the car show this year and thinks it is worth mentioning that they cleaned up very well after the show. Comments that at the same time the car show was going on, there was a historic building tour happening. The tour was well attended and they sold at least 150 tickets for the tour. Mrs. Donaldson-Webb comments briefly on some damage that happened to their building, the Fitzpatrick Building. It was minimal, but obvious and she just wants to make the public aware that we have kids that require more supervision here in town.

Mr. Tom Foster, Bullion Plaza Museum Director, reports briefly on the historic building tour. The museum sold some books and copper from the gift shop. Reports that a lady from Chandler made a donation to the museum because she was impressed with the tour. Mr. Foster states that he would like to give a shout out to Community Services Director, Kristy Regalado, who did an amazing job with the car show this weekend. Public Works guys Pedro and Michael did a great job as well; just a positive way to start off this Monday evening.

**8. UNFINISHED BUSINESS:**

**9. NEW BUSINESS:**

- A. Information, discussion and possible action:** Approval of Resolution No. 1226 – authorizing the submission of an application for FY 2019-2020 State CDBG Funds, certifying that said application meets the community's previously identified housing and community development needs and the requirements of the State CDBG Program.

Councilmember Medina moved to approve Resolution No. 1226 – authorizing the submission of an application for FY 2019-2020 State CDBG Funds, certifying that said application meets the community's previously identified housing and community development needs and the

requirements of the State CDBG Program. Seconded by Councilmember Reiman. Mayor Dalley calls for the vote. Vote – Mayor Dalley – yea, Vice Mayor Gonzales – yea, Councilmember Black – excused, Councilmember Bringhurst – excused, Councilmember Medina – yea, Councilmember Moat – yea, and Councilmember Reiman – yea. MOTION PASSED.

**B. Information, discussion and possible action:** Possible direction to staff on how to proceed with restoration of the cannon.

Town Manager Heatherly explains that this project with the cannon was initiated in 2006. The project was to do some restoration of the cannon, it has some historic value to it and now Council needs to determine what to do with it. It appears that the original intent was that grants would be sought after to complete the restoration. The idea was to put the cannon indoors to preserve it, but we do not have a place big enough to do that. Where would we put it to keep it secure and protect it from the weather and the kids in town. The current restoration estimate is just shy of \$10,000.00 but we do not know, right now, what it would cost to safely store it. Councilmember Medina states that the cannon used to be on the island at the Bullion Plaza Museum and maybe we can do that and secure it there somehow. Mr. Ray Webb and Tom Foster are present to explain some things on this issue. Mr. Webb states this has been an ongoing project for a long time and the cannon has been being stored in his building. Mr. Webb comments regarding the issues of the cannon that have come up over the years but nothing has been followed through with, or acted upon, it just kept getting pushed aside. Mr. Webb states that he would like to see the cannon restored but he wants it out of his place, he needs the space. Mr. Tom Foster states that all the small parts of the cannon have now been moved to Bullion Plaza Museum and tomorrow some of the larger parts will be moved there as well. The wheels are a major concern, they cost a lot of money, a heavy investment for the Town of Miami as well as Bullion Plaza Museum. He thinks Bullion Plaza loaned the Town of Miami almost \$2,000.00 to complete the wheels. Everything that can be carried will be moved to the museum. The barrel itself weighs about a 1,000 lbs. The gun is registered to the Town of Miami as a destructive device, for official use only. The barrel, the tube itself, can be moved to the museum and stored inside temporarily. Mr. Foster explains that the gun was given to the Town of Miami by Governor Hunt. It was delivered here through legislative action which started in 1919 after our boys came back from France. The whole idea with this was that they needed recognition. Along with, he believes, the American Legion, they worked with the Senate and legislative people out of New York to give recognition to the doughboys. What happened was, they took all these war materials that were stored on the east coast and distributed them, through legislative action, to the different states and territories and districts according to their participation in World War I. This is a very important piece of history for the Town of Miami. This is the most complete example of this cannon anywhere in the world. At maximum elevation the cannon will fire 4.5 miles. Mr. Foster comments on the National Rifle Association and that they have a fund that they distribute money from, for educational purposes, he is going to be looking into this NRA Fund to see if we can get some money to complete restorations of this cannon. Brief discussion and comments regarding the cost of getting the cannon restored and protecting it wherever it is stored. Mayor Dalley states that he would like to see the cannon restored and put on display. Vice Mayor Gonzales states that he is glad this has come back up

and he would love to see it restored. Open discussion and comments regarding available grants to get money to restore the cannon. Councilmember Reiman asks if the Town has money to pay for the restoration of the cannon. Town Manager Heatherly states it is not in the budget for that this year. Discussion regarding what the Town can do to help obtain grants, if we come up with nothing, the Town could budget for the restoration in next year's budget. Mayor Dalley moved for the Town staff to work with Tom Foster from Bullion Plaza Museum and come up with a plan to secure funding to restore the cannon and how to identify a spot it will be at and properly display it. Seconded by Councilmember Moat. Vice Mayor Gonzales states that we do have another option to pay for the restoration and that is to use the remainder of the money the Town received from the insurance settlement from the accident in Vandal Park. He did check with Southwest Risk and we can use the funds as we deemed necessary. He would just like Council to keep that in mind as an option. Mayor Dalley calls for the vote. Vote – Mayor Dalley – yea, Vice Mayor Gonzales – yea, Councilmember Black – excused, Councilmember Bringham – excused, Councilmember Medina – yea, Councilmember Moat – yea, and Councilmember Reiman – yea. MOTION PASSED.

**Mayor Dalley recognizes Mr. Fred Golden is present.**

**C. Information, discussion and possible action:** Discussion regarding community meeting held to discuss proposed medical marijuana cultivation site in the downtown and possible direction to staff.

Town Manager Heatherly comments briefly on the public meeting held by Source One yesterday at Bullion Plaza Museum. Mr. Ross Miljenovich and Brian Lovett of Source One are present. Mr. Miljenovich comments on how the public meeting went at Bullion Plaza Museum. Mr. Miljenovich states that one of the most asked questions they had was “what is the city going to get from it”. Mr. Miljenovich explains that since they are a cultivation center and not a dispensary or retail sales there is no sales tax that will go to the town. In their discussions in giving back to the community they decided to offer to give back to the community 3% a year of their annual yield, which is approximately \$120,000.00 to \$125,000.00 per year. It is not a sales tax, but an investment in the community. They would like to get a favorable approval because in order to get B, they have to get A. They would like to get an approval from the Town in the next 10 days, the sooner they can start, the sooner they can start giving back to the community. Mr. Brian Lovett states that their investors will get a quarterly profit and loss statement and then at that time they will get a return on their investment. They will do the same for the Town on a quarterly basis. Mr. Lovett states that Rose Law Firm is the law firm that represents them. Mr. Lovett comments on their projected annual yield. Mr. Lovett explains how they have addressed the concerns with security. Explanation of the security criteria from the Arizona Department of Health. Vice Mayor Gonzales asks the Town Attorney if Source One is in compliance with all regulations, state and local, there should be no issues with licensing them. Town Attorney Goodwin states that if they are in compliance with all required entities then yes, they can operate. Vice Mayor Gonzales states so if they are not in compliance then that is the only way we cannot issue a license to operate. Town Attorney Goodwin states yes, but she would advise to follow up on their offer. Brief discussion regarding the Health Department issuing an ATO (Approval to Operate) and the Town issuing a

Certificate of Occupancy and how those processes take place. Councilmember Reiman asks what Source One is specifically looking for tonight. Approval to move forward with their plans because they can't do anything until they have the business license, so they can move forward with the building because they have a lot of construction to do. Town Attorney Goodwin explains that the Town Clerk issues the business license if all of the conditions are met. The way she thinks it works with ADHS is the Town tells them that they are in compliance with the Town's requirements and then they issue the certificate. Mr. Lovett states the ADHS will issue the ATO. Town Manager Heatherly explains that in order for Source One to proceed, no one is going to buy a building and start to make plans for improvement for that building until they get a business license. So you give them a business license depending on them meeting the requirements from the State of Arizona and from them submitting an improvement plan for that building. Then we monitor the improvements they are making and once they complete that, the Town gives them a certificate of occupancy. Town Attorney states the safety is that the Town can revoke the business license if they don't comply with all the requirements. Brief discussion and comments regarding using the flushed water and how that will benefit the Town as well. Mayor Dalley moved that the Town of Miami move forward to work with Source One in making this project come together and they got to work with the Town staff in getting all the proper permits and make sure they are in compliance with the Town of Miami, once they meet that requirement we can issue the business license in accordance with Town ordinance and proceed forward so they can complete their side with the State and we have done our due diligence to get them started so they can get their end done by the State and other agencies. Seconded by Councilmember Medina. Mayor Dalley calls for the vote. Vote – Mayor Dalley – yea, Vice Mayor Gonzales – yea, Councilmember Black – excused, Councilmember Bringhurst – excused, Councilmember Medina – yea, Councilmember Moat – yea, and Councilmember Reiman – yea. MOTION PASSED.

**D. Information and discussion only:** Review and discussion regarding Community Services activities; the following activities will be discussed:

- Report on Miami Hostetler Pool;
- Report on the Alicia Garcia Senior Center;
- Report on the Cobre Valley Transit Service; and
- Report on Music in the Park.

Community Services Director, Kristy Regalado reports on the Hostetler pool stats, Alicia Garcia Senior Center stats, the Cobre Valley Transit Service stats and Music in the Park. Vice Mayor Gonzales states he would like to see if we can have the dedication ceremony for the Alicia Garcia Senior Center before it starts getting cold because of Mrs. Garcia's lungs it is hard for her to get out in the cold and he would like for her to be present for the dedication. He would like it to be before November. Ms. Regalado states that is not a problem and she has some quotes already for the dedication sign.

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

Town Manager Heatherly reports that there has not been a lot of progress to report on Phase 2. Phases 3 – 5 of the project has reached substantial completion. They will be back up here next week, the 16<sup>th</sup> and 17<sup>th</sup> fixing potholes and then, he believes, on the 18<sup>th</sup> and 19<sup>th</sup> they think they can get everything chip sealed. Will get notice of the street repair out to residents later this week because the streets that are to be worked on will be closed for most of the day.

**10. CALL TO THE COUNCIL:**

Councilmember Medina comments on a Wallace and Ladmo memory book that was given to him. Councilmember Medina thanks everyone for coming to the meeting tonight.

Mayor Dalley comments on an incident at the library in which some windows were broken out, the Town is in the process of getting them repaired.

**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 – excused, Councilmember Medina – yea, Councilmember Moat – yea, and Councilmember Reiman – yea. 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 9th day of September, 2019.

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

DATED this 23<sup>rd</sup> day of September 2019.



Karen Norris, Town Clerk

**APPROVED:**



Darryl Dalley, Mayor