



## MINUTES

### TOWN OF MIAMI

#### REGULAR MEETING OF THE MAYOR AND COUNCIL MONDAY, NOVEMBER 25, 2019 AT 6:30 PM

**1. CALL TO ORDER:**

Councilmember Medina calls the meeting to order at 6:30 p.m.

**2. PLEDGE OF ALLEGIANCE/INVOCATION:**

Councilmember Medina led the pledge of allegiance and the invocation.

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

**PRESENT:** Councilmember Black, Councilmember Bringhurst, Councilmember Medina and Councilmember Moat.

**EXCUSED:** Mayor Dalley, Vice Mayor Gonzales and Councilmember Reiman.

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

**4. CONSENT AGENDA:**

- A. Consideration and possible action to approve Minutes of the October 28, 2019 Regular Meeting.
- B. Consideration and possible action to approve the Town Payroll for November 3, 2019 and November 17, 2019.

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

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

- A. Consideration and possible action to approve the General Demands for October 25, 2019 to November 21, 2019.

Councilmember Black moved to approve the general demands for October 25, 2019 to November 21, 2019. Seconded by Councilmember Moat. Councilmember Medina calls for the

vote. Vote – Mayor Dalley – excused, Vice Mayor Gonzales – excused, Councilmember Black –yea, 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 on some of the issues Public Works has been working on with the recent rains; they are doing their best to get things cleaned up. Gives thanks to Councilmember Medina, Councilmember Bringhurst and Tash Jerrols for going to the radio station to get the information out to the public regarding the Special Income Survey. Reports that he has met with mural artist, Isaac Cureso, from Tucson, regarding painting a mural in Miami. The mural will be in conjunction with a children's book he is writing. Gives a brief update on the Small Town Christmas event. States the audit is progressing. Reports on some issues with the ADOT audit for transit in regards to vehicle maintenance; looking to go out for RFP's for those vehicles and will bring that to Council in the near future for a decision. Reports to Council that he will be out December 4<sup>th</sup> through the 7<sup>th</sup> and out again December 26<sup>th</sup> through January 2<sup>nd</sup>; he will be here on the 30<sup>th</sup>.

**B. Mayor/Council Reports.**

Councilmember Black thanks staff and the public for sending cards and condolences for the loss of his mother in law.

Councilmember Moat wishes everyone a happy Thanksgiving.

Councilmember Bringhurst gives kudos to Christine, the Miami Police Department, Lisa Zaragoza for all their work and efforts to put on Small Town Christmas. Comments on the new Code Enforcement Officer, she is rattling some cages, but we have to get these things done. Wishes everyone a happy Thanksgiving.

Councilmember Medina comments on being on the radio to encourage the community to fill out the Special Income Survey and to promote Small Town Christmas. He will have some information on Boomtown Spree very soon, he is working to clear up some issues with that. Thanks his wife Louisa for all that she does and wishes her a Happy Birthday.

**7. CALL TO THE PUBLIC:**

Mr. Jim Coats, Miami resident, comments on some street issues up by his house on Woodrow Street. States that he has asked the Town several times to make repairs where it has washed out due to the rains. Would like to know what he needs to do to get it fixed.

**8. UNFINISHED BUSINESS:**

**9. NEW BUSINESS:**

**A. Information, discussion and possible action:** To approve use of the following Town-owned facilities by the Miami Arts Commission in conjunction with Miami Loco Arts Festival to be held April 17<sup>th</sup> – April 19<sup>th</sup>, 2020:

- a) Veterans Memorial Park, with access to restrooms– April 17<sup>th</sup> & 18<sup>th</sup> 10:00 a.m. to 12:00 a.m. April 19<sup>th</sup> 10:00 a.m. to 6:00 p.m.
- b) Street closure on Keystone from Sullivan Street to Gibson from Friday, April 17<sup>th</sup> to Sunday, April 19<sup>th</sup> 11:00 a.m. to 6:00 p.m.
- c) Request street barricades to be set up before and taken down after the event by Town staff.

Mr. Michael 23 presents this request to Council. They are getting an early start on this event in hopes to make it a bigger and better event. Reports that he has received a grant from United Fund to help promote this event. Councilmember Black moved to approve the 11<sup>th</sup> Annual Arts Commission in conjunction with Miami Loco Arts Festival to be held on April 17<sup>th</sup> through the 19<sup>th</sup>, 2020. Seconded by Councilmember Bringhurst. Councilmember Medina calls for the vote. Vote – Mayor Dalley – excused, Vice Mayor Gonzales – excused, Councilmember Black –yea, Councilmember Bringhurst – yea, Councilmember Medina – yea, Councilmember Moat – yea, and Councilmember Reiman – excused. MOTION PASSED.

**B. Information and discussion only:** Update report on the Special Income Survey.

Ms. Tashiana Jerrols, Utility Coordinator, gives a progress update report on the Special Income Survey. Ms. Jerrols states that since her last report to Council we have received 38 more surveys for a total of 140 surveys received. Mr. Alan Urban from CAG has informed her that if the Town receives 280 low to moderate income surveys, the Town will receive \$240,000 in grant money. We still need more volunteers to help and more communication, to get the information out to the community. Brief discussion on the timetable of getting the survey process completed. Town Manager Heatherly explains that the survey is a random selection of residents and how the selection process was performed.

**C. Information and discussion only:** Review and discussion regarding the Operating and Financial report for the month of October 2019.

Town Manager Heatherly presents the report to Council. We are 4 months into this fiscal year and are at 33.3% of the budget. Revenue is a little bit higher, at 39%, which is due to the additional monies we got from HURF. Expenditures are at 24% on the operating side and 50% on the grants, both look good. No big surprises overall.

**D. Information, discussion and possible action:** Update report and possible direction to staff regarding the status of the buildings that burned in the Sullivan Street fire.

Josh Derhammer, Engineering Tech, gives a brief update on where we are with the status of the buildings the need to be cleaned up. The Town has sent out notices that we are requiring them to be cleaned up. Mr. Derhammer explains the process that will need to be followed for the cleanup process. Brief discussion regarding the criteria that will determine if the building needs to be torn completely down. Open discussion and comments regarding permitting for the cleanup. Mr. Derhammer states that we are hoping everyone has their permits by the end of December and the cleanup is completed by the end of January. Will keep Council posted on this issue.

**E. Information and discussion only:** Progress report regarding the cleanup project of the Town of Miami Public Works yard.

Town Manager Heatherly gives a brief update on the APS cleanup project at the Public Works yard. Crews had to be taken off the project due to the rains last week. All the digging to the east and north is done and footers are done and ready for the cement. The far west side is dug out but right now there is too much water in there to work, they will be back on December 2<sup>nd</sup> to resume working. Arizona Water Company has been working on relocating their lines. Overall the project is going well.

**F. Information, discussion and possible action:** To enter into an executive session pursuant to A.R.S. §38-431.03 (A)(4) for discussion or consultation with the Town Attorney in order to consider its position and instruct the Town Attorney regarding the of Assignment Agreement with USDA regarding reimbursement for wastewater collection system project Phase 2 repair work and litigation expenses.

Councilmember Black moved to go into executive session. Seconded by Councilmember Bringhurst. Councilmember Medina called for the vote. Vote – Mayor Dalley – excused, Vice Mayor Gonzales – excused, Councilmember Black –yea, Councilmember Bringhurst – yea, Councilmember Medina – yea, Councilmember Moat – yea, and Councilmember Reiman – excused. MOTION PASSED. 7:11 p.m.

Return from executive session at 7:22 p.m. All members present with 3 excused.

**G. Information, discussion and possible action:** To approve an Assignment Agreement with USDA regarding reimbursement for wastewater collection system project Phase 2 repair work and litigation expenses.

Councilmember Bringhurst moved to approve the assignment of certain proceeds of settlement or judgement to the USDA with the changes as requested by USDA. Seconded by Councilmember Black. Councilmember Medina calls for the vote. Vote – Mayor Dalley – excused, Vice Mayor Gonzales – excused, Councilmember Black –yea, Councilmember

Bringhurst – yea, Councilmember Medina – yea, Councilmember Moat – yea, and Councilmember Reiman – excused. MOTION PASSED.

**H. Information, discussion and possible action:** To approve change order No. 63 with KE&G to perform wastewater collection system project Phase 2 repair work– Sullivan Street, Plaza Street and Canyon Avenue.

Town Manager Heatherly presents this item to Council explaining that approval of this item would be a change order to the existing contract with KE&G to do the repair work from Phase 2 of the sewer project. The only portions in this are Sullivan Street, Plaza and Canyon Avenue. It will be on a time and material basis not to exceed \$900,000.00, does not include paving for Canyon Ave. We will have to go out to bid on that. Will be meeting with the engineer tomorrow to do those drawings and then they will be sent out for bids. Councilmember Black moved to go forward with this with the exception that Canyon Avenue, being the worst of the three streets, be done first. Town Manager Heatherly explains that we do not have a price on the paving yet. If you are going to hold that up, it will hold us up for a while; at least 60 days. Town Manager Heatherly explains that if we start on Sullivan Street we can be working on the paving of Canyon Avenue while actually having the project going. Open discussion and comments regarding going out to bid for Canyon Avenue first. Councilmember Black feels we should start on the worst street first. Motion seconded by Councilmember Moat. Town Manager Heatherly explains that if we do that and cause this delay it will extend the project about 9 months and explains that the contract with KE&G will expire and the whole project would have to go out for bid again. We need to start this before that contract expires. Town Attorney Goodwin state that Town Manager Heatherly is correct, if there is that delay it changes the whole structure of the agreement with USDA, she does not think Council wants to do that. Councilmember Medina calls for the vote. Vote – Mayor Dalley – excused, Vice Mayor Gonzales – excused, Councilmember Black – yea, Councilmember Bringhurst – nay, Councilmember Medina – nay, Councilmember Moat – yea, and Councilmember Reiman – excused. MOTION DIES. Councilmember Medina moved to approve change order number 63 as written. Seconded by Councilmember Bringhurst. Councilmember Medina calls for the vote. Vote – Mayor Dalley – excused, Vice Mayor Gonzales – excused, Councilmember Black – nay, Councilmember Bringhurst – yea, Councilmember Medina – yea, Councilmember Moat – yea, and Councilmember Reiman – excused. MOTION PASSED.

**I. Information, discussion and possible action:** To approve contract amendment with HilgartWilson for construction management services for wastewater collection system project Phase 2 repair work – Sullivan Street, Plaza Street and Canyon Avenue.

Town Manager Heatherly presents this item to Council. This is to approve an amendment with HilgartWilson to do the construction management of this repair project. It would be at a cost of \$7,700.00 per week and estimating actual work will be completed in less than 2 months. This does allow for an extra 2.5 months just to start with. Should be just shy of \$30,000.00. Councilmember Bringhurst moved to approve contract amendment with HilgartWilson for construction management services for wastewater collection system project Phase 2 repair work – Sullivan Street, Plaza Street and Canyon Avenue. Seconded by Councilmember Black. Councilmember Medina calls for the vote. Vote – Mayor Dalley – excused, Vice Mayor

Gonzales – excused, Councilmember Black – yea, Councilmember Bringhurst – yea, Councilmember Medina – yea, Councilmember Moat – yea, and Councilmember Reiman – excused. MOTION PASSED.

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

Town Manager Heatherly comments that he has talked to the other attorneys from Gust and Rosenfeld about this and they are going to enter into some negotiations with AMEC to possibly come to a settlement agreement. AMEC has asked if there was a settlement agreement, if the Town would hold them harmless to any future actions and the Town has said yes to that. After Council's actions tonight he will hopefully meet with USDA tomorrow and there is a meeting with KE&G on next Thursday to have a kick off meeting and presumably they are going to start on December 9<sup>th</sup>. They will expedite everything, if possible, to get up to Canyon Avenue as fast as possible.

**10. CALL TO THE COUNCIL:**

Councilmember Medina thanks everyone for sticking it out at tonight's meeting. Thanks Globe/Miami Times reporter for covering our meetings

**11. ADJOURNMENT:**

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

Meeting adjourned at 7:39 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 **25th** day of **November**, 2019.

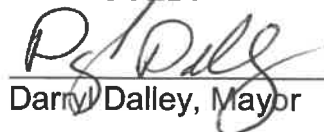
I further certify that the meeting was duly called and that a quorum was present.

DATED this **9th** day of **December** 2019.



Karen Norris, Town Clerk

**APPROVED:**

  
Darryl Dalley, Mayor