



## MINUTES

### TOWN OF MIAMI

#### REGULAR MEETING OF THE MAYOR AND COUNCIL MONDAY, FEBRUARY 24, 2020 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 and Councilmember Medina gave the invocation. Moment of silence for the passing of community member Mr. Gene Porto.

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

**PRESENT:** Mayor Dalley, Vice Mayor Gonzales (arriving at 6:44 p.m.), Councilmember Bringhurst, Councilmember Medina, 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 February 10, 2020 Regular Meeting.
- B. Consideration and possible action to approve the Town Payroll for February 9, 2020.

Councilmember Reiman moved to approve the consent agenda. Seconded by Councilmember Medina. Mayor Dalley calls for the vote. Vote – Mayor Dalley – yea, Vice Mayor Gonzales – excused, Councilmember Black – excused, Councilmember Bringhurst – yea, Councilmember Medina – yea, 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 February 7, 2020 to February 20, 2020.

Councilmember Bringhurst moved to approve the general demands for February 7, 2020 to February 20, 2020. Seconded by Councilmember Reiman. Mayor Dalley calls for the vote. Vote – Mayor Dalley – yea, Vice Mayor Gonzales – excused, Councilmember Black –excused, 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 an update report on the APS work at the Public Works yard; should be done by the end of this week. Update report on the CDBG Project. Reports that KE&G is prepping Plaza and then will prep Sullivan Street and begin paving on Wednesday and finish up on Thursday. KE&G will then do some work on Michaels Way and then begin prepping and paving Canyon. Reports that the Town has received the settlement check from the Wood Group (formerly AMEC). Reports that the Town has gone out to bid for vehicle maintenance services, should have that ready to come to Council at the next meeting.

**B. Mayor/Council Reports.**

Councilmember Medina reports that Boomtown Spree is progressing along. Reports that Ash Wednesday is this Wednesday. Comments on the loss of community member Mr. Gene Porto. Comments on the possibility of the Boy Scouts dissolving, has heard but it is unofficial.

Councilmember Moat comments that he is glad to see work starting on Plaza.

Mayor Dalley announces that the Senior Center has been painted. Reads the Call of the Election. Reports that the boys' basketball team lost at the state tournament.

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

**7. CALL TO THE PUBLIC:** No response.

**8. UNFINISHED BUSINESS:**

**9. NEW BUSINESS:**

**A. Information, discussion and possible action:** To approve joining efforts with Gila County in developing a Strategic Broadband Plan for the Gila County area.

District 2 Supervisor, Tim Humphrey states that the County is looking at the future and infrastructure. This is something that the County wants to do and wants to go forward as partners with the Town of Miami. Supervisor Humphry states that the County is not asking for funding from the Town, they would appreciate having a representative from the Town of Miami to be included in this broadband utility project. Assistant County Manager, Homero Vela, comments on the definition of broadband and explains it as high speed internet service that is

always on. Mr. Vela comments on different ways of delivering broadband services. Discusses current essential utilities that we currently use such as water, sewer and electricity. They are proposing that broadband be used as a public utility. Currently, Gila County does not have a robust broadband community. Mr. Vela comments on why use fiber; for speed and maximum download speeds. Discusses ways to finance the network and what money is already being spent in Gila County. Mr. Vela explains that some studies have already been done and explains the anticipated subscriber costs in Gila County. Comments on grant money that is available to help with the cost to initiate this project. Mr. Vela discusses some of the current problems they are trying to address. Discussion regarding if chasing broadband for Gila County is right or not. Right now the next step is to work with Town of Miami and other cities and towns, applying for grants and creating a financial Pro-Forma for the model. Discussion regarding what is important, wants it to be affordable, smart, future proof, Countywide and competitive, open to all ISP and have an opt in and opt out option. Councilmember Bringhurst moved to approve joining efforts with Gila County in developing a Strategic Broadband Plan for the Gila County Area. Seconded by Councilmember Medina. 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 – yea. MOTION PASSED.

**B. Information, discussion and possible action:** To approve directional traffic flow for specific streets in various areas within the Town of Miami.

Joshua Derhammer, Engineering Tech, presents this item to Council explaining that this was recently before Council for review. Since then, one more road has been added to the proposed list. Councilmember Bringhurst states that at the previous meeting it was discussed to have public meetings to inform and get input from citizens regarding the proposed changes, was this done. Mr. Derhammer states that no it was not done. They have met with Tri City Fire Chief, Neck Renon, and drove around the streets to get his input. Chief Renon states that he supports this proposal 100%. He understands that it is not a popular thing but it is in the best interest of public safety. Discussion regarding making “no parking” on certain sides of streets as well. Town Manager Heatherly explains that this proposed plan will help the Town with street maintenance as well. Open discussion regarding there being more than just the streets listed here that need to be evaluated. Discussion regarding there being a large number of streets that have issues with fire and emergency service vehicles getting through them. Mr. Derhammer explain that these are just the initial main streets they came up with and the most prudent at this time. They can take a look at other streets and evaluate the need for changes on an ongoing basis. Brief discussion regarding the Town’s liability if something was to happen and fire or emergency vehicles can’t get through to someone. Councilmember Medina moved to approve the directional traffic flow for specific streets in various areas with the Town of Miami as set forth on the map. 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 – nay. MOTION PASSED.

**C. Information, discussion and possible action:** To approve Ordinance No. 368, amending the Code of Miami, Arizona, Title 13 Public Services, Chapter 13.04 Sewer

System Use Regulations by amending Section 13.04.010 Definitions to add new definitions and by adding new Section 13.04.150 Sewer Laterals and Sewer Backwater Valves to establish requirements for property owners to inspect, maintain, repair and/or replace sewer laterals and sewer backwater valves.

Mr. Josh Derhammer, Engineering Tech, presents this ordinance to Council. Mr. Derhammer explains that this ordinance is to supplement our current sewer ordinance. The purpose of this ordinance is to clarify the property owner's responsibility and implement some new infrastructure the Town put in to benefit the user. Mr. Derhammer shows everyone what a backflow device is and gives a brief demonstration as to how it prevents sewer from flowing back into their homes. The device is to prevent sewage from backing up on the resident's property or into their homes. They want property owners to know that this is on their property so if they were to snake the line on their property they don't cause damage to it. Also, that it is their responsibility if they damage the backflow device. Brief discussion regarding the ease of changing out the device and how to inspect it. Councilmember Reiman comments on the penalties listed in the ordinance, feels they are extreme and thinks the ordinance needs some more work. Councilmember Reiman states that he will not support the ordinance as it is written now. Discussion regarding who is required to have a backflow device. It is explain that the backflow devices have already been installed on the properties that require them. Discussion and comments on how would someone know that there is a backflow device installed on their line. Mr. Derhammer states that the Town is going to go out to those residents and let them know there is one on their line and will show them how to remove, inspect and replace if needed. It is a very simple thing to do. The Town also has the exact backflow device on hand, if someone was to damage one they could buy it from the Town, at the same cost the Town paid for them. It is not the Town's intention to mark up the price and make money on the device. Vice Mayor Gonzales asks if the devices are a requirement of ADEQ. Town Attorney Goodwin states that she is not sure but she will check into that. Town Manager Heatherly states that Council can table this item until staff finds out if the device is required by ADEQ. Discussion and comments regarding that this ordinance is already in the existing Town Code, this ordinance is just to clarify what is already in the Code and educate the property owners Town Attorney Goodwin explains that when she reviewed the ordinance for the first time she noticed that there was a \$300 penalty and a \$2,500 penalty and she said those should be consistent. We probably need to reword the penalty clause at the end of the ordinance to take into consideration that there is a different penalty clause in that section, paragraph B. We can fix that if you want to keep it at \$300. Brief discussion regarding the timeline stated for the repairs. Discussion regarding the required inspection of the device. Councilmember Medina moved to approve Ordinance No. 368, amending the Code of Miami, Arizona, Title 13 Public Services, Chapter 13.04 Sewer System Use Regulations by amending Section 13.04.010 Definitions to add new definitions and by adding new Section 13.04.150 Sewer Laterals and Sewer Backwater Valves to establish requirements for property owners to inspect, maintain, repair and/or replace sewer laterals and sewer backwater valves. Seconded by Mayor Dalley. Councilmember Bringhurst moves to amend the motion to state that Paragraph B will be as originally written and not changed and add to the penalty clause "except as provided in 13.04.070 B and then at the beginning of Section 4, the general penalty clause was "except as provided in 13.04.070 B and then it will stay the same. That will keep the \$300 in that section without a conflict. Councilmember Medina and Mayor Dalley approve the amendment. Mayor

Dalley calls for the vote. Vote - Mayor Dalley – yea, Vice Mayor Gonzales – nay, Councilmember Black – excused, Councilmember Bringham – yea, Councilmember Medina – yea, Councilmember Moat – yea, and Councilmember Reiman – yea. MOTION PASSED.

**D. Information, discussion and possible action:** To authorize the Town Manager to proceed with the next steps to remodel the Miami fire station for use by the Town of Miami Kids Machine youth group.

Mrs. Christine Duarte, Community Services Director, presents this request to Council. Mrs. Duarte explains that they are looking for a home for the youth group. Mrs. Duarte states that they have 71 kids signed up for the group and approximately 31 kids attend group functions at any given time. They are not requesting funding from Council for the remodel, just permission to use the fire department and they will seek funding to remodel through grants and donations. This location will have room for the kids and a bathroom and an office. Mrs. Duarte comments on many of the things the Miami Machine Group has done in the community and how they have discussions regarding bullying and drugs and current things kids are dealing with these days. Mrs. Duarte discusses some of the positive feedback she has had since the group started. Vice Mayor Gonzales gives positive feedback, he has noticed positive changes with his students since the program has started. Vice Mayor Gonzales moved to authorize the Town Manager to proceed with the next steps to remodel the Miami fire station for use by the Town of Miami Kids Machine youth group. Seconded by Councilmember Bringham. Open discussion and comments regarding the youth program and putting the fire department, that is sitting unused, to good use. Councilmember Reiman has just one concern which is having the kids so close to the Police Department where dangerous people are brought in. Police Chief Thompson addresses this concern. Brief discussion regarding using the music room at the Bullion Plaza Gym. It is explained that the music room is just too small. Discussion regarding the fire department being centrally located and close to the swimming pool and basketball courts. Councilmember Moat comments that his 8 year old granddaughter has attended the youth group and really enjoys it, feels this is a good move for Miami. 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 – yea. MOTION PASSED.

**E. Information, discussion and possible action:** To approve, subject to funding agency concurrence, payment application for KE&G Construction, Inc., in the amount of \$322,308.36 for sewer project related expenses.

Town Manager Heatherly presents this pay app. to Council. Councilmember Medina moved to approve, subject to funding agency concurrence, payment application for KE&G Construction, Inc., in the amount of \$322,308.36 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 – excused, Councilmember Bringham – yea, Councilmember Medina – yea, Councilmember Moat – yea, and Councilmember Reiman – yea. MOTION PASSED.

**F. Information and discussion only:** Review and discussion regarding the Operating and Financial report for the month of January 2020.

Town Manager Heatherly reviews the summary of operations for January 2020. We are currently at 58% of the budget. The total funding side of state revenues is at 67% and grant funding is at 52% and expenses are a little bit lower. Reports on the work being done and estimated timeline on Sullivan Street, Plaza and Canyon. Gives a brief update on the CDBG Project. Announces that the septic receiving station is all fixed up and ready to start operating. Working with the Engineering Department and Public Works to restructure that group. Reports on meeting with USDA regarding money that is left over from the project and they are looking at getting a couple pieces of equipment for the Public Works Department. There is nothing alarming or concerning in the financial report. Reports that staff is working on the budget for the upcoming fiscal year. Gives a brief update on the bio-solid project and issues with finding land; it is not a dead issue.

**10. CALL TO THE COUNCIL:**

Councilmember Medina thanks everyone for attending tonight's meeting.

Mayor Dalley announces that we need people to apply for Census 2020 jobs for the Miami area. Announces that Resolution Mine will be giving an update on their project on March 3<sup>rd</sup> at the Chamber of Commerce, contact him for more information.

**11. ADJOURNMENT:**

Councilmember Medina moved to adjourn the meeting. Seconded by Councilmember Reiman. 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 – yea. MOTION PASSED.

Meeting adjourned at 8:43 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 24th day of February, 2020.

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

DATED this 9th day of March 2020.

  
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Karen Norris, Town Clerk

**APPROVED:**

  
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Darryl Dalley, Mayor