

# MINUTES

## TOWN OF MIAMI SPECIAL MEETING OF THE MAYOR AND COUNCIL MONDAY, FEBRUARY 23, 2015 AT 6:30 P.M.

### 1. CALL TO ORDER:

Mayor Dalley called the meeting to order at 6:30 p.m.

### 2. PLEDGE OF ALLEGIANCE/INVOCATION:

Mayor Dalley led the pledge and Councilmember Medina led the invocation.

### 3. ROLL CALL OF COUNCILMEMBERS:

**Present:** Mayor Dalley, Vice Mayor Reiman, Councilmember Black, Councilmember Castaneda, Councilmember Gonzales (arriving at 6:46 p.m.), Councilmember Hanson (arriving at 7:15 p.m.) and Councilmember Medina.

**Staff Present:** Town Manager Heatherly, Town Attorney Smiley, Police Chief Gillen, Librarian Delvan Hayward, Finance Director Rachele Sanchez, and Town Clerk Norris.

### 4. **CONSENT AGENDA:** *All items listed below are considered consent calendar items and may be approved by a single motion unless removed at the request of a Councilmember for further discussion/action. Other items on the agenda may be added to the consent calendar and approved under a single motion.*

- A. Consideration and possible action to approve Minutes of the February 9, 2015 Regular Meeting.
- B. Consideration and possible action to approve Minutes of the February 13, 2015 Work Session.
- C. Consideration and possible action to approve the Town Payroll for January 19, 2015 to February 1, 2015.

Councilmember Black questions excessive overtime time paid to a town employee. Town Attorney explains that this is not the appropriate forum for this discussion. Councilmember Black states that he is requesting to pull Item C from the Consent Agenda so that he can discuss this item with the Town Manager. It is pointed out that this payroll has already been paid out. Councilmember Black motioned to approve consent agenda items A and B and tabling item C. Motion seconded by Mayor Dalley. Mayor Dalley calls for the vote. Vote – 5 in favor and 2 members absent (Councilmember Gonzales and Councilmember Hanson. MOTION PASSED.

**5. APPROVAL OF DEMANDS:**

- A.** Consideration and possible action to approve the General Demands for February 5, 2015 to February 18, 2015.

Councilmember Medina motioned to approve the General Demands for February 5, 2015 to February 18, 2015. Motion seconded by Councilmember Castaneda. Mayor Dalley calls for the vote. Vote – 5 in favor and 2 members absent (Councilmember Gonzales and Councilmember Hanson). MOTION PASSED.

- B.** Consideration and possible action to review and discuss the Revenues, Expenditures and Deposits Report for activities through January 2015.

Councilmember Black questions check no. 17137 – reimbursements for parks/recs in the amount of \$300.00. Finance Director Rachelle Sanchez explains that is a cleaning deposit refund for rental of the Bullion Plaza Gym. Councilmember Medina motioned to approve the Revenues, Expenditures and Deposits Report for activities through January 2015. Motion seconded by Mayor Dalley. Mayor Dalley calls for the vote. Vote – 5 in favor and 2 members absent (Councilmember Gonzales and Councilmember Hanson). MOTION PASSED.

**6. REPORTS / RECOGNITIONS:**

- A.** Department Reports:

Library, Delvan Hayward gives a brief report on several book donations to the library. Reports briefly that the new Director of First Things First visited the library.

Police Department, Chief Gillen gives the Police Department statistics and activity report. Chief Gillen gives a brief report on the mock trial that he participated in, along with other local agencies, at the high school.

Town Manager Heatherly reports that Public Works have been busy cleaning up the streets in town. Reports briefly on the warranty issues with pump no. 3. The Engineering Department is still trying to finalize the Sign Project. Staff completed some Utility Module training with Casselle.

**Councilmember Gonzales arrives at 6:46 p.m.**

Reports briefly on the worksession in regards to the reorganization of town staff and job descriptions; that task has now been implemented and in place.

- B.** Town Manager Reports:

- C.** Mayor/Council Reports:

Councilmember Medina states that he agrees with Town Manager Heatherly regarding the Public Works crew; he has seen them out working in the area of Pine Street and they are doing very good work.

Mayor Dalley thanks Town Manager Heatherly for his assistance with the scheduling issue for use of the Town Park last weekend. They had a memorial for a Miami resident, a veteran, who passed away and wanted to hold a memorial in the park which was booked for another event. Town Manager Heatherly helped to work that issue out.

## **7. CALL TO THE PUBLIC:**

Mr. Jonathan Vallez, Miami resident, came before Council to give thanks to members in the community who came together to help get his stolen bicycle back and to thank those who helped in the repairs to the bike. He is very appreciative of everyone who helped.

Ms. Delvan Hayward, Miami resident and Librarian explains that the bike was stolen out of the lobby at the Miami Library and comments briefly about how everyone helped to get Jonathans bike back and repaired.

## **8. UNFINISHED BUSINESS:**

**A. Information, discussion and possible action:** To approve use by Miami Arts Commission the following Town facilities in conjunction with the Miami Art Walk:

- a) On March 20, 21 and 22, 2015 – Fitzpatrick/Barcon Building;
- b) On March 21, 2015 – Veterans Memorial Park

Mr. Jim Coates of the Miami Arts Commission presents this request to Council. Mr. Coates comments regarding using the facilities in the past and have not had any problems or issues with that. Mr. Coates states he thinks this is an economical positive event for the community. Councilmember Medina comments briefly regarding the offensive stickers that were being passed out at last year's Art Walk. Councilmember Castaneda comments regarding the stickers that were being passed out last year and that she found them to be offensive also. She feels the Art Walk is a wonderful yearly event, but every year there seems to be some type of issue that comes of it. Discussion and comments regarding the offensive chalk drawings on the sidewalks and in the streets in previous years. Discussion regarding the event should be in good taste and the art that is brought to the area should not be offensive. Councilmember Black comments that he has supported this event every year, but was very disturbed when he read an email/social media post made by Mr. Jim Coates of the Miami Art Walk Commission stating "stay out of Miami, its toxic"; then Mr. Coates wants to use our buildings/facilities for his event. Open discussion regarding this comment posted by Mr. Coates. Mr. Michael Twentythree, Miami resident, comments regarding the Art Walk in the Valley, he moved his family to Miami to focus on their artistic life. Discussion and comments regarding the naming of the event as Miami Loco Art Walk. Discussion regarding the meaning of the word "Loco". Michael Twentythree states the statement is meant to be interesting and strange in order to draw people to the event. Michael Twentythree comments on the past Art Walks and what is being planned for this Walk; 40 bands from around the state and 50 artists to be showing their

work. They just want to bring creative people and interest to the town, very open to making it a pleasant experience for everyone who attends the event. Councilmember Castaneda states that she will be voting no on this issue because she feels they have shown much disrespect for the Town of Miami. Vice Mayor Reiman states that he concurs with much of what the other Councilmembers have said. Ms. Susan K, Miami resident, suggests compiling a list of issues and problems from the past events and creating a plan of corrective action.

**Councilmember Hanson arrives at 7:15 p.m.**

Councilmember Black motioned to decline this request to have the Miami Art Walk. Motion seconded by Councilmember Medina. Mr. Coates states that he would hate to see the Council destroy something that would help and promote the town; suggests Council table this item so he can address issues that council has brought up at this meeting. Councilmember Gonzales agrees with Council's concerns, but when starting something new there is always growing pains and mistakes made. Councilmember Gonzales states he hopes Mr. Coates can learn from those mistakes and take corrective action, make some guidelines for the event and present those to Council for reconsideration and hopefully support of the event. Mr. Michael Twentythree states that whether or not Council allows the use of the facilities, the event will take place over that weekend. Discussion regarding the various past problems and that the Miami Arts Commission has not taken responsibility, or even acknowledged those problems. Mayor Dalley calls for the vote. Vote – 5 in favor and 1 member opposed (Councilmember Gonzales), 1 member did not vote (Vice Mayor Reiman). MOTION PASSED. Vice Mayor Reiman motioned to allow the Arts Commission to reinstitute this item after the (inaudible) with the Town Manager to present a case for continuance. Motion seconded by Councilmember Black. Councilmember Hanson states she feels that she does not feel anyone should use the Fitzpatrick Building, it's not finished, so she don't think anyone should be allowed to use it and would like to see the Commission come back with some structure on how they would be using the park. Mayor Dalley calls for the vote. Vote – 5 in favor and 2 members opposed (Councilmember Castaneda and Councilmember Medina). MOTION PASSED.

**B. Information, discussion and possible action:** To approve Resolution No. 1155, amending and revising the existing rental fees and deposits for use of the Bullion Plaza Gym.

Town Manager Heatherly presents this item to Council. Town Manager Heatherly reviews the proposed rental rates. Discussion regarding the main focus of the Phoenix Suns was donating to this gym and the mining companies donating also, was to target the kids. Discussion regarding the determining guidelines to distinguish between large events and small events. Discussion regarding how anyone would monitor the number of people attending functions at the gym. Discussion regarding the set up time for the small events and large events. Slides are shown to demonstrate how elaborate some of the large events can be and how much time it would take to set those events up. Discussion regarding the set up time for small events and large events. Town Manager Heatherly explains how it can save the people money by just categorizing small events and large events by the number of hours and/or days the facility will be used. Councilmember Medina motioned to approve Resolution No. 1155, amending and revising the existing rental fees and deposits for use of the Bullion Plaza Gym. Motion seconded by Councilmember Black. Mayor Dalley calls for the vote. Vote – 7 in favor. MOTION PASSED.

**9. NEW BUSINESS:**

- A. Information, discussion and possible action:** To approve payment application for AMEC, subject to funding agency concurrence, in the amount of \$15,921.11 for one month of Design, Program Management and Construction Management Services (\$3,567.03 due from WIFA; \$12,354.08 due from USDA), as recommended by the Wastewater Advisory Board.

Town Manager Heatherly presents this payment application to Council; it is recommended for approval by the Wastewater Advisory Board. Councilmember Castaneda motioned to approve payment application for AMEC, subject to funding agency concurrence, in the amount of \$15,921.11 for one month of Design, Program Management and Construction Management Services (\$3,567.03 due from WIFA; \$12,354.08 due from USDA), as recommended by the Wastewater Advisory Board. Motion seconded by Councilmember Medina. Mayor Dalley calls for the vote. Vote – 6 in favor and 1 member opposed (Councilmember Black). MOTION PASSED.

- B. Information, discussion and possible action:** To approve payment application for Curtis, Goodwin, Sullivan, Udall and Schwab, subject to funding agency concurrence, in the amount of \$1,207.40 for Legal Services (\$808.40 due from WIFA; \$399.00 due from USDA), as recommended by the Wastewater Advisory Board.

Town Manager Heatherly presents this item to Council; it is recommended for approval by the Wastewater Advisory Board. Councilmember Castaneda motioned to approve payment application for Curtis, Goodwin, Sullivan, Udall and Schwab, subject to funding agency concurrence, in the amount of \$1,207.40 for Legal Services (\$808.40 due from WIFA; \$399.00 due from USDA), as recommended by the Wastewater Advisory Board. Motion seconded by Councilmember Medina. Mayor Dalley calls for the vote. Vote – 6 in favor and 1 member opposed (Councilmember Black). MOTION PASSED.

- C. Information, discussion and possible action:** To approve Resolution No. 1156; renewal of the Town of Miami's membership in the Rural Arizona Group Health Trust and appointing a trustee and alternate trustee to serve on the Board of Trustees.

Town Clerk Karen Norris presents this resolution to Council. Councilmember Medina motioned to approve Resolution No. 1156; renewal of the Town of Miami's membership in the Rural Arizona Group Health Trust and appointing a trustee and alternate trustee to serve on the Board of Trustees. Motion seconded by Councilmember Hanson. Mayor Dalley calls for the vote. Vote – 7 in favor. MOTION PASSED.

- D. Information, discussion and possible action:** Review and approval of form of contract to be used for the management of Bullion Plaza Gym.

Town Manager Heatherly presents this item to Council. It has been reviewed in a work session and he has made all the requested revisions. Councilmember Medina motioned to approve the form of

contract to be used for the management of Bullion Plaza Gym. Motion seconded by Mayor Dalley. Mayor Dalley calls for the vote. Vote – 7 in favor. MOTION PASSED.

**E. Information, discussion and possible action:** To award contract for the management of the Bullion Plaza Gym for calendar year 2015 to Miami Genesis, Inc.

Town Manager Heatherly presents this item to Council and proposes awarding the contract to Miami Genesis. Miami Genesis has been overseeing the management of the gym, there were some issues and staff and Miami Genesis have learned some things along the way. Discussion regarding how some parts of the previous contracts were unclear and made for difficulties. Discussion regarding Genesis putting in a lot of effort to organize and keep the facility clean and maintained. It is clarified that no monies will be handled by Miami Genesis, it will all be processed through the Town Hall. Town Attorney Smiley states that since this contract is for one year, it should be revised to show a starting date in February 2015 and ending date in February 2016. Councilmember Black questions if this needs to go back out to bid again. Town Attorney Smiley states that it does not according to the Town's procurement code. Councilmember Gonzales states that he feels Miami Genesis has done a very good job with managing the gym but feels that since there are changes in the contract, it should go back out to public bid, just to keep things transparent. Brief discussion regarding if there are any other groups that would be interested in bidding on the management of the facility. Mr. Elvan Fant of Tri-City EMP states they would be interested. Councilmember Medina motioned to award contract for the management of the Bullion Plaza Gym to Miami Genesis. Motion seconded by Councilmember Hanson. Mayor Dalley calls for the vote. Vote – 5 in favor and 2 members opposed (Councilmember Black and Councilmember Gonzales). MOTION PASSED.

10. **CALL TO THE COUNCIL:** None.

11. **ADJOURNMENT:** Councilmember Black motioned to adjourn the meeting. Motion seconded by Councilmember Castaneda. Mayor Dalley calls for the vote. Vote – 7 in favor. MOTION PASSED.

Adjourned 8:20 p.m.

**CERTIFICATION:**

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Special meeting of the Town Council of the Town of Miami, AZ held on the 23<sup>rd</sup> day of February 2015.

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

DATED this 9<sup>th</sup> day of March 2015.

  
Karen Norris, Town Clerk

**APPROVED:**

  
Darryl Dalley, Mayor