

MINUTES

TOWN OF MIAMI

REGULAR MEETING OF THE MAYOR AND COUNCIL MONDAY, MARCH 14, 2016 AT 6:30 PM

1. CALL TO ORDER:

Vice Mayor Reiman calls the meeting to order at 6:30 pm.

2. PLEDGE OF ALLEGIANCE/INVOCATION:

Vice Mayor Reiman led the pledge of allegiance, followed by Councilmember Medina leading the invocation.

3. ROLL CALL OF COUNCIL MEMBERS:

PRESENT: Vice Mayor Reiman, Councilmember Black, Councilmember Castaneda, Councilmember Gonzales (arriving at 6:46 p.m.), and Councilmember Medina.

ABSENT: Mayor Dalley and Councilmember Hanson.

STAFF PRESENT: Town Manager Heatherly, Town Attorney Smiley, Town Clerk Norris, Code Enforcement Gary Leveque, Librarian Delvan Hayward, and Police Chief Gillen.

4. CONSENT AGENDA:

- A. Consideration and possible action to approve Minutes of the February 22, 2016 Special Council Meeting.
- B. Consideration and possible action to approve the Town Payroll for February 28, 2016.

Councilmember Castaneda motioned to approve the consent agenda. Motion seconded by Councilmember Medina. Vice Mayor Reiman calls for the vote. Vote – 4 in favor and 3 members absent (Mayor Dalley, Councilmember Gonzales and Councilmember Hanson). MOTION PASSED.

5. APPROVAL OF DEMANDS AND PRESENTATION OF BUDGET REPORTS:

- A. Consideration and possible action to approve the General Demands for February 19, 2016 to March 9, 2016.

Councilmember Castaneda motioned to approve the General Demands for February 19, 2016 to March 9, 2016. Motion seconded by Councilmember Medina. Councilmember Black states that he would like to have a copy of the invoice aging report put in his box. Vice Mayor

Reiman calls for the vote. Vote – 4 in favor and 3 members absent (Mayor Dalley, Councilmember Gonzales and Councilmember Hanson). MOTION PASSED.

- B. Consideration and possible action to review and discuss the revenues/Expenditures report for activities of February 2016.

Town Manager Heatherly states that this is an informational report only. This report shows where the town is falling within the budget. Town Manager Heatherly briefly reviews the report; commenting regarding revenues, general fund, special funds and enterprise funds. Brief discussion regarding some of the aging payables and the town is working to get those paid. Town Manager Heatherly states that staff is still working with Caselle to create reports that show specific information needed, right now we are still taking their information and putting it into a Excel spreadsheet for ease in reading. Brief discussion regarding how to read the HURF funds in the report.

6. REPORTS / RECOGNITIONS:

A. Department Reports.

Librarian Delvan Hayward reports on the Friends of the Library “White Elephant” sale, it was very successful. Reports on the Librarian meeting she attended in Payson last Friday.

Code Enforcement Officer Gary Leveque gave a statistic and activity report.

Police Chief Gillen, Police Department report of statistics and activity. Reports the criminal trial for the swimming pool break in incident is set for May. Briefly reports on the graffiti on the Police Department building.

B. Town Manager Report.

Town Manager Heatherly comments on trying to make more efforts to enforce ordinances that have been passed by Council and doing it uniformly and fairly. Reports that staff has been monitoring and enforcing the business licensing more closely. Public Works is continuing to fill potholes around town, trying to get as many as possible, they also replaced a portion of the sewer line at Labato Canyon. Reports that the town won the bid for the Globe garbage truck at a bid price of \$20,101.00. Reports on working on getting a list of needs to get the pool open; it is scheduled to open May 13th. Report on the issues with grease in the sewer lines at Sykes Alley and Nash; have found that a restaurant on that line has a grease trap but it was not operational. The 2014/2015 audit is underway and should be done by the end of this month. Is working with Tri-City Fire and Globe to expand fire services. Gives a brief update on the Merritt Ramp project and Mackey’s Camp project.

Councilmember Gonzales arrives at 6:46 p.m.

C. Mayor/Council Reports.

Councilmember Medina reports briefly on the Boomtown Spree meeting that took place today at 5:00 p.m.

7. CALL TO THE PUBLIC:

Ms. Jude Brooke, Miami business owner, comments regarding an issue that happened recently involving Miami Police Officer Shaw and the complaint against him. Ms. Brooke states that Officer Shaw has an open invitation to enter their business any time he feels that he needs to come in. Ms. Brooke states that prior to the complaint against Officer Shaw he had come to her business during business hours to discuss modifications a field report book that he had brought to her. Since that time there was a complaint filed against Officer Shaw for being on Sullivan Street. Ms. Brooke states that they hold every officer in the highest regards and they have been very pleasant with them. Comments that they are feeling concerned due to the complaint filed against Officer Shaw because they will no longer have that police presence in their business area. Feels other officers may not come to that area and/or business due to complaints.

Mr. Gary Vessels, Miami business owner, comments regarding the importance of having a social gathering place here in the town, but feels the running and regulation of the certain business is not proper. Comments regarding the importance of having officers walking the "beat" and need more police coverage and to focus on the businesses at night. It is a good thing to have the extra profile on the street.

Mr. Randy Chapman, Miami business owner, comments that he talked to 11 different merchants over the week and they discussed the positive effects the police foot patrol has had on the community. They feel secure and comfortable, and it is just good police work. Comments that the officers get to know the people in the area and business area, helps them to know when something isn't right. Give thanks to the police department.

8. UNFINISHED BUSINESS: None.

9. NEW BUSINESS:

A. Information and discussion only: Update, information and discussion regarding Town of Miami Phase 2 Sewer Project.

Mr. Jameson Owens of Kinkaid Civil Contractors gives an update report regarding the Town of Miami Phase 2 Sewer Project. They are currently working at the east end of town and traveling along the US 60. Also, working on Miami Avenue, installed a new sewer main in that area and over the next couple weeks will be installing a couple of manholes. When that is complete they will be restoring that street. They are currently working on Sullivan Street and continuing west along that street, will be restoring that street as well. Currently working in conjunction with APS, Arizona Water Company and Southwest Gas to resolve some problems in the town, that is a continuing effort. Brief discussion regarding the work in the area of Pine Street and the damage that some of the equipment is doing to that street. Brief update regarding what is going on at Canyon Avenue. Brief discussion regarding the working relationship with other entities involved with this project. Town Manager Heatherly comments regarding some of the issues the Town has had with AMEC, they have hired a new guy and he is doing a very good job, very pleased with him.

B. Information, discussion and possible action: To approve use by Miami Arts Commission the following Town facilities in conjunction with the Miami Art Walk to be held April 22nd – April 24th, 2016:

- a) Veterans Memorial Park and snack bar – April 23rd 11:00 a.m. to Midnight and April 24th 11:00 a.m. to 6:00 p.m.
- b) Street closure on Sullivan from Keystone to Cordova and along Inspiration from Sullivan to the bridge – 6:00 p.m. on Friday, April 22nd to 6:00 p.m. Sunday, April 24th.
- c) Request street barricades to be set up before and taken down after the event by Town staff.

Mr. Michael Twenty-Three presents this request to Council. Mr. Twenty-Three states they are anticipating a larger event than last year. Mr. Twenty-Three would like to note a change in the request to the street closure. Just need a street closure on Sullivan, right adjacent to the park. Mr. Twenty-Three questions the use of electric in the park. Mr. Twenty-Three asks if there is a temporary event vendor license for their vendors that are coming in. Mr. Twenty-Three comments regarding there not being a lot of places for people to stay during the event, would like to know how the Town feels about allowing camping on private and/or public lots. Councilmember Black comments that he is glad to see this event growing but feels there should be a fee for use of the park and electric. Councilmember Castaneda comments that for next year she would like to see a map of the event, just a visual of the area they are asking to use and road closures. Brief discussion regarding blocking of the local businesses in the area of the street closures. Brief discussion regarding allowing the use of the snack bar and how to keep control of the items that are in there. Town Manager Heatherly states that staff can do an inventory of the snack bar before and after the event. Councilmember Black motioned to approve the use by Miami Arts Commission the following Town facilities in conjunction with the Miami Art Walk to be held April 22nd – April 24th, 2016, Veterans Memorial Park and snack bar on April 23rd and 24th, street closure from Cordova to Inspiration and street barricades to be put up before and taken down after the event by Town staff and some kind of fee structure be put in place for the concession stand, utilities and any other fees that the Town may need to put on. Motion seconded by Councilmember Medina. Councilmember Gonzales asks about the event staffing this year. Mr. Twenty-Three states it will be about the same as last year, there will be a few different staff members but the same amount. Mr. Twenty-Three states that they will be doing some clean up in the wash and at the stairs before the event and will be cleaning up after the event. Brief discussion regarding event insurance coverage, they will not be covered by the Town's insurance. Mr. Twenty-Three will obtain insurance coverage for the event. Vice Mayor Reiman calls for the vote. Vote – 5 in favor and 2 member absent (Mayor Dalley and Councilmember Member Hanson). MOTION PASSED.

Vice Mayor Reiman calls for a 5 minute recess – 7:39 p.m.
Call back to order – 7:46 p.m.

C. Information, discussion and possible action: To review request from Southwest Street Rods to hold an event in the Town of Miami on May 14, 2016 10:00 a.m. to 4:00 p.m. and provide direction to staff regarding ways for the Town to facilitate such an event.

Town Manager Heatherly presents this item to Council. Town Manager Heatherly states that he was contacted by Mr. Bridgewater of the Southwest Street Rods car club. They are planning to bring their car club to Miami on May 14th for the day and are looking for things to do in the area. There was some discussion regarding if the Town has enough parking for the car club. They are not requesting to hold a car show or event, but just things to do while they are in town. Mr. Bridgewater was wondering if the town had anything like "pink jeep tours", so they can see the area. Town Manager Heatherly stated that he will contact the mines and see if they would be able to do mine tours for the club. Town Manager Heatherly comments regarding the Bullion Plaza Museum being a huge attraction for visitors. Councilmember Gonzales asks if the Town would be able to use the transit vans to give people tours of the historic homes in the Miami/Globe area. Town Manager Heatherly states that may be possible but he would have to get approval from ADOT to use the vans. Town Manager Heatherly states that he feels it is important to increase the Town's marketing, get people to come to the town. Town Manager Heatherly states that no action is needed on this item at this time.

D. Information and discussion only: Update on sewer connections, collections, billings and receivables.

Town Manager Heatherly presents this item to Council giving a brief history of the sewer/garbage account collection issues. Town Manager Heatherly states that the Town recently sent out letters regarding past due accounts and requested the people to come in to get their accounts up to date and explaining the process of what would happen if those accounts were not brought up to date, only 5 people replied to the letter. Another set of letters were sent out in the middle of February with very little response. The Town had to take further steps to make collections on these past due accounts, shut off notices were sent out to 10 various people; of those 10, 9 came in and paid or made payment arrangements. Discussion regarding how the 10 accounts for shut off where chosen. Town Manager Heatherly explains that the accounts were chosen by the perceived ability to pay. Councilmember Black questions the method for choosing the 10 accounts marked for shut off. Councilmember Black states that the Town is going after people who can pay their bill, the purpose of this is if they don't pay their bill, no matter what the reason, they should be shut off. If you are making rules for some people but not holding others to the same rule, that is not right. Councilmember Black states that he has a list of the 10 accounts marked for shut off (not the names) and it ranges from \$12,000.00 down to \$169.00, which he knows from talking to the person that his bill is paid in full, that amount is just the deposit, which the Town won't give him the 6 months to pay it off, the town demanded it be paid in one month. What are the guidelines? There is something wrong with the process with which this is put all together. The town is holding some people accountable but not the majority of people who owe money. Town Manager Heatherly states that the report that Councilmember Black has is current as of today, when the Town started this process a lot of those people owed two to three times those amounts. Councilmember Black states that the numbers he has, aside from the final notice or no notice, what does non notice or none mean? Town Manager Heatherly states that means that no payment was ever made. Councilmember Black states that if you look at that report, of 627 of them, and the amounts that he is looking at, aside from the \$500.00 and under, is \$300.00 and something. Why aren't we going after the bigger accounts? Town Manager Heatherly states that we have two sitting Councilmembers who are telling people to not pay on their accounts, that does not help the situation at all. Councilmember Castaneda comments that people have gotten so used to not making their sewer/garbage bill a priority, but it is just as big a priority as any other utility bill, but they have

gotten away with it for so long. Councilmember Castaneda states that she feels that people who can afford to pay their sewer bill and don't is inexcusable. There are a lot of people out there that don't pay their bill because they are pushing to see how far they can get without paying. Councilmember Gonzales asks if the Town has in place a formula or system that it uses to identify the accounts that are set for shut off. Town Manager Heatherly states that we can probably put something statistical in there, but the only way he knows to do that is to take the 10 highest value. What will wind up happening is the Town is going to start to turn off, and it is going to cost money to turn them off, and then what are we going to do? We cannot turn off their water, they can technically live in the house. Right now we have to go out and dig, look just to find the connection and it can take days to find it. We also have a tremendous amount of customers that are on common lines so we can't turn one off without turning the other off; that is a big problem. So what are we going to do if we go out and turn off 200 hundred people but they can't pay it in six months? We will have dilapidated buildings and tremendous amount of other problems. This is something we have to balance. Town Manager Heatherly states that he wished that he could find a way to say "give me the next ten" and then hit a button, "give me the next ten". Without just doing it by starting with the highest dollar amount he don't know any other way to do it. Town Manager Heatherly states that to Councilmember Black's point, it may seem like it is arbitrary, but it's not. He sat down and he used the perceived ability to pay; is that 100% accurate, by no means. Brief discussion regarding the number of delinquent customers there are and why were they all not notice for shut off. Town Manager Heatherly states for many reasons; wrong addresses, returned mail, lots of reasons and staff is working on that. Vice Mayor Reiman points out that there may be 600 accounts out there but those are not 600 active users. Town Manager Heatherly states that is correct. Discussion regarding the town shutting off the sewer and then Arizona Water has to shut off the water. Town Manager Heatherly states that it does not work that way. We shut off the sewer and send a letter to Arizona Water and to Gila County stating that we are notifying them that we are shutting off the sewer and if they do not shut off the water and if it backs up into their house, you are liable for this, not us. Town Manager Heatherly explains how the billing system works when customers go on a payment contract. Discussion regarding how the Caselle billing program works when it is dealing with sewer billing and sewer contract billing. Town Manager Heatherly explains that the Town gets a report every month from Arizona Water and we use that report to know when someone opens or closes a water account, that tells us we need to make sure they open or close a sewer/garbage account as well. Discussion regarding the legalities of holding property owners accountable for accounts that are not current by renters. Discussion regarding preventing people from tapping into the Town's sewer line without getting a permit. No action taken on this item.

- E. Information, discussion and possible action:** To install a handicap veteran sign behind the Miami Veterans Memorial wall, Town to furnish the pole and clamps for the sign at a minimal cost of \$100.00 or less.

Councilmember Black presents this to Council in Mayor Dalley's absence. Councilmember Black corrects that this is not a handicap sign but a Purple Heart sign for veterans. Councilmember Black motions right behind the memorial that Mayor Dalley worked to put in, that the Town install a pole and clamps to put up that Purple Heart award winners parking only sign. Motion seconded by Councilmember Medina. Vice Mayor Reiman calls for the vote. Vote – 5 in favor and 2 members absent (Mayor Dalley and Councilmember Hanson. MOTION PASSED.

10. **CALL TO THE COUNCIL:** No response.

11. **ADJOURNMENT:**

Councilmember Castaneda motioned to adjourn the meeting. Motion seconded by Councilmember Medina. Vice Mayor Reiman calls for the vote. Vote – 5 in favor and 2 members absent (Mayor Dalley and Councilmember Hanson). MOTION PASSED.

Meeting adjourned at 8:40 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 **14th** day of **March**, 2016.

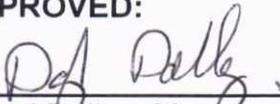
I further certify that the meeting was duly called and that a quorum was present.

DATED this **28th** day of **March** 2016.



Karen Norris, Town Clerk

APPROVED:



Darryl Dalley, Mayor