

## MINUTES

### TOWN OF MIAMI SPECIAL MEETING OF THE MAYOR AND COUNCIL MONDAY, APRIL 25, 2016 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 Castaneda, Councilmember Hanson and Councilmember Medina.

**Excused:** Councilmember Black and Councilmember Gonzales.

**Staff Present:** Town Manager Heatherly, Town Attorney Smiley, Town Clerk Norris, Code Enforcement Officer Gary Leveque, Utility Services Coordinator Vera Fisher, Public Works Administrator Tom Moreno and Police Chief Gillen.

#### 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 April 11, 2016 Public Hearing, Regular Meeting and Special Meeting.
- B. Consideration and possible action to approve Letter Carriers' Food Drive Day Proclamation.
- C. Consideration and possible action to approve the Town Payroll for April 10, 2016.

Councilmember Castaneda motioned to approve the Consent Agenda. Motion seconded by Councilmember Hanson. Mayor Dalley calls for the vote. Vote – 5 in favor and 2 members excused (Councilmember Black and Councilmember Gonzales). MOTION PASSED.

#### 5. APPROVAL OF DEMANDS:

- A. Consideration and possible action to approve the General Demands for April 8, 2016 to April 20, 2016.

Councilmember Castaneda motioned to approve the general demands for April 8, 2016 to April 20, 2016. Motion seconded by Councilmember Medina. Mayor Dalley calls for the vote. Vote – 5 in

favor and 2 members excused (Councilmember Black and Councilmember Gonzales). MOTION PASSED.

## 6. REPORTS / RECOGNITIONS:

### A. Department Reports:

Police Department, Police Chief Gillen reports on department statistics and activities. Reports that the Department is working 2 major investigations and hope to have those wrapped up fairly quickly.

Code Enforcement Officer Gary Leveque reports on code enforcement and animal control activities and statistics.

### B. Town Manager Reports:

Town Manager Heatherly reports the draft audit report for 2014/2015 has been completed. He is reviewing it and has a couple things he needs to discuss with the auditor. Gives a brief Merritt Ramp Project progress report. Comments briefly on an issue with the stairs that are behind Townhall, will be working on some possible repairs. Announces the Call of the Election. Reports that staff is continuing to work on the budget for 2016/2017. Announces that he will be out of the office next Wednesday, Thursday and Friday and again the end of May. Gives a brief update on the Music in the Park event. Comments regarding the success of the Boomtown Spree event and this past weekend events; all were great events with no incidents reported. Reports that the Public Works Department reorganization has been implemented and Mr. Tom Moreno will be running the Public Works Department. They have a good crew and they work very well together.

### C. Mayor/Council Reports:

Mayor Dalley reports that he had a great time at the Boomtown Spree event. Comments regarding this past weekend events; has not seen the town so packed since he was a teenager.

Councilmember Hanson reports on the Paint the Town event. Miami Genesis partnered with the Frank Lloyd Wright group for painting. Gave thanks to the volunteers and to Mr. Eddie Omans and Gila County for the inmate labor. Councilmember Hanson states that with the Freeport Grant that Miami Genesis was able to double the number of buildings painted and put in some benches and banners. Announces Miami Spring Evening Walks; an event of walking through the Town and visiting business and restaurants throughout the town in the evenings.

Councilmember Medina thanks the Town Manager for the great report and thanks everyone who helped with the Boomtown Spree event. It turned out quite well for such short notice.

Councilmember Castaneda comments that she would like to see Miami every weekend like it was this weekend. She has heard a lot of positive feedback on the events. Gives thanks to all who volunteered and participated in the events.

Vice Mayor Reiman states that he agrees. Vice Mayor Reiman states that he heard a lot of comments regarding the positive turnaround of the Town. Feels the recent events went well and the music was better this year, all in all, gives thanks to all the volunteers.

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

8. **UNFINISHED BUSINESS:**

**A. Information, discussion and possible action:** To review proposed bulk trash pick-up rates and policy and give direction to Town Attorney to prepare an ordinance for Council's consideration.

Town Manager Heatherly presents this item to Council. Town Manager Heatherly explains that three employees worked together to put this item together for Council consideration. Ms. Vera Fisher, Utility Coordinator, Mr. Tom Moreno, Public Works Administrator and Mr. Gary Leveque, Code Enforcement Officer. Ms. Fisher reviews the proposed pickup guidelines for trash. Discussion regarding the \$5.00 fee for bulk trash pickup and options for opting out. In order to opt out customer must fill out a request waiver; must not be living on the property and have documentation to prove utilities are paid in full and shut off and that there is no vegetation on the property. Review of the special appointment for pick up fees. Review of the large general household items for pickup procedure and fees. Brief discussion regarding items that are not allowed for pick up; construction materials and hazardous materials. Review of the rules for placing items out for pickup. Discussion regarding the people who already have waivers; everyone will be put back on bulk trash billing and they will have to reapply for the waiver. Brief discussion regarding illegal dumping and a penalty is provided for that. Town Attorney Smiley explains that for any new fees or increase in fees, it has to be posted on the home page of the Towns website for 60 days before the Town can take action. It will come back before Council for approval after it has been on the website for 60 days. Staff has been given direction to post on the Towns website for 60 days and then bring item back to Council for consideration.

9. **NEW BUSINESS:**

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

Mr. Jameson Owen of Kinkaid Civil Construction reports that they are complete with the sewer from the east end of the project all the way to the 76 Station on US 60. Once testing is complete near the mine and Gordon, they will continue placing asphalt and finalizing putting Gordon Street back together. Jack and bore operations are complete for the project. Have crews working in Mackey's Camp. They are also working through some conflict areas on Sullivan Street and should have that resolved in the next couple of weeks. Reviewing some work in Sykes Alley and other areas to make sure that when work is started it is able to proceed smoothly. Councilmember Castaneda comments regarding road replacement on Loomis Avenue where sewer work has been done, will that be replaced? Mr. Owen states that yes it will be done when the work is completed in that area, but in the meantime they can put some asphalt grindings in there to keep the area from puddling. Councilmember Castaneda asks if the street is made of concrete will it be repaired with concrete. Mr. Owen states that if it was concrete going out, it will be concrete going in.

**B. Information, discussion and possible action:** To approve Resolution No. 1172; requesting an all-mail election and unified ballot for the 2016 Primary and General Elections.

Town Clerk Norris presents this resolution to Council. Councilmember Medina motioned to approve Resolution No. 1172; requesting an all-mail election and unified ballot for the 2016 Primary and General Elections. Motion seconded by Mayor Dalley. Mayor Dalley calls for the vote. Vote – 5 in favor and 2 members excused (Councilmember Black and Councilmember Gonzales). MOTION PASSED.

**C. Information, discussion and possible action:** To appoint two (2) members to the Municipal Property Corporation (MPC):

- 1) Joe Sanchez (reappointment) – 3 year term/term to expire April 2019; and
- 2) Name to be determined by Council - Citizen at large – 3 year term/term to expire April 2019.

Councilmember Castaneda asks if Council can just vote on item number 1 tonight and bring number 2 back when they have someone they can appoint to the board. Town Attorney Smiley states yes they can do that. Councilmember Castaneda motioned to reappoint Mr. Joe Sanchez to the Municipal Property Corporation (MPC) for a 3 year term, term to expire April 2019. Motion seconded by Councilmember Medina. Mayor Dalley calls for the vote. Vote – 5 in favor and 2 members excused (Councilmember Black and Councilmember Gonzales). MOTION PASSED.

**D. Information, discussion and possible action:** To approve Intergovernmental Agreement (IGA) between Globe Fire Department and the Town of Miami for the purpose of Fire Investigations and Fire Code Enforcement.

Town Manager Heatherly presents this item to Council explaining that this agreement is for coverage from the City of Globe for fire inspections, arson investigation and anything like that. It covers Mr. Joe Bracamonte and his fire dog services. This is not for any administration or maintenance services. Brief discussion regarding if this would cover the inspection of the fire hydrants; it does not. Vice Mayor Reiman states that under Definitions, Item 5 has some strange language in there. Town Manager Heatherly explains that this means this is for the Fire Chief or the appointed head of the fire department in the Fire Chief's absence. Town Attorney Smiley states that she had a couple comments she noted in the agreement. There were a couple of things she has not heard back from Globe yet to make sure that they are in agreement with it. Regarding the jurisdiction, she did not know what jurisdiction because it said "of the jurisdiction, report head of the fire department" but she didn't know which one. She also made some minor changes regarding the K-9 team and responsibility for damages. Also the expiration date was not filled in on the agreement and for an Intergovernmental Agreement to be valid State law requires a term. Town Attorney Smiley states that the Town Manager can fill it in with a 2 year term noting that the Council would like the IGA to be for a term of 2 years. Brief discussion regarding the definition of K-9 Team as it is written in the IGA. Councilmember Hanson motioned to approve the Intergovernmental Agreement with the noted changes and expected changes. Motion seconded by Councilmember Medina. Mayor Dalley

calls for the vote. Vote – 5 in favor and 2 members excused (Councilmember Black and Councilmember Gonzales). MOTION PASSED.

- E. Information, discussion and possible action:** To approve, subject to funding agency approval, Change Order #14: \$867.75, increase in Kinkaid Civil Construction's contract price to cover costs incurred for flaggers while working in the Arizona Eastern Railway Company right-of-way, as recommended by the Wastewater Advisory Board.

Town Manager Heatherly presents this item to Council explaining that it is pretty straight forward as presented. Councilmember Castaneda motioned to approve, subject to funding agency approval, Change Order #14: \$867.75, increase in Kinkaid Civil Construction's contract price to cover costs incurred for flaggers while working in the Arizona Eastern Railway Company right-of-way, as recommended by the Wastewater Advisory Board. Motion seconded by Councilmember Medina. Mayor Dalley calls for the vote. Vote – 5 in favor and 2 members excused (Councilmember Black and Councilmember Gonzales). MOTION PASSED.

- F. Information, discussion and possible action:** To approve, subject to funding agency approval, Change Order #15: \$16,785.39, increase in Kinkaid Civil Construction's contract price cover costs for additional CCTV services for areas along Gordon Street and FMI and for connecting the existing sewer main to the new sewer main at MH A3-01, as recommended by the Wastewater Advisory Board.

Town Manager Heatherly presents this item to Council explaining that last week they went through all of these and USDA has approved this as well. Brief discussion regarding who the subcontractor is for CCTV services; it is Stormwater Pros. Councilmember Hanson motioned to approve this item as presented. Motion seconded by Councilmember Medina. Mayor Dalley calls for the vote. Vote – 5 in favor and 2 members excused (Councilmember Black and Councilmember Gonzales). MOTION PASSED.

- G. Information, discussion and possible action:** To approve, subject to funding agency approval, Change Order #16: \$9,553.58, increase in Kinkaid Civil Construction's contract price for extra work required for additional excavation and backfill at MH A3-01 and from MH A3-01 toward MH A1-25, resulting from the redesign and realignment of the sewer along Gordon Street, as recommended by the Wastewater Advisory Board.

Town Manager Heatherly explains to Council that this item was tabled by the Wastewater Advisory Board. Councilmember Castaneda motioned to table Change Order #16: \$9,553.58, increase in Kinkaid Civil Construction's contract price for extra work required for additional excavation and backfill at MH A3-01 and from MH A3-01 toward MH A1-25, resulting from the redesign and realignment of the sewer along Gordon Street, as recommended by the Wastewater Advisory Board. Motion seconded by Councilmember Medina. Mayor Dalley calls for the vote. Vote – 5 in favor and 2 members excused (Councilmember Black and Councilmember Gonzales). MOTION PASSED – ITEM TABLED.

- H. Information, discussion and possible action:** To approve, subject to funding agency approval, Change Order #17: \$50,000.00, increase in Kinkaid Civil Construction's contract price increasing the allowance for conflicts with un-marked and unknown utilities and below grade structures, as recommended by the Wastewater Advisory Board.

Town Manager Heatherly presents this item to Council. Town Manager Heatherly explains they will be taking money out of the contingency budget and putting it in an allowance on Kinkaid's contract, if we don't use it, it will not be spent. Town Manager Heatherly explains that he will be meeting with Mr. Owen of Kinkaid and Tim from AMEC, it was agreed to supply to the Wastewater Advisory Board, for their May meeting, a revised schedule and forecasted cost report. Town Manager Heatherly and Tim from AMEC will be working on the allowances and change orders that have been approved so far to see what the Town can do to back charge somebody else responsible for these additional utilities that were not identified before. The allowances is to keep the contractor working and allowing the project to keep moving forward. Councilmember Castaneda motioned to approve, subject to funding agency approval, Change Order #17: \$50,000.00, increase in Kinkaid Civil Construction's contract price increasing the allowance for conflicts with un-marked and unknown utilities and below grade structures, as recommended by the Wastewater Advisory Board. Motion seconded by Councilmember Medina. Mayor Dalley calls for the vote. Vote – 5 in favor and 2 members excused (Councilmember Black and Councilmember Gonzales). MOTION PASSED.

- I. Information, discussion and possible action:** To approve, subject to funding agency concurrence, payment application for Kinkaid Civil Construction, in the amount of \$532,222.68 for Phase 2 Construction Services (\$0.00 due from WIFA; \$532,222.68 due from USDA), as recommended by the Wastewater Advisory Board.

Town Manager Heatherly presents this item to Council explaining that the amount has been revised to \$523,146.78 USDA has approved the reduced amount due to item G above. This pretty much covers Kinkaid's work through the end of March. Councilmember Castaneda motioned to approve, subject to funding agency concurrence, payment application for Kinkaid Civil Construction, in the amount of \$523,146.78 for Phase 2 Construction Services (\$0.00 due from WIFA; \$523,146.78 due from USDA), as recommended by the Wastewater Advisory Board. Motion seconded by Councilmember Hanson. Mayor Dalley calls for the vote. Vote – 5 in favor and 2 members excused (Councilmember Black and Councilmember Gonzales). MOTION PASSED.

- J. Information, discussion and possible action:** To approve, subject to funding agency concurrence, payment application for AMEC, in the amount of \$188,208.70 for Design, Program Management and Construction Management Services (\$38,061.01 due from WIFA; \$150,147.69 due from USDA), as recommended by the Wastewater Advisory Board.

Town Manager Heatherly presents this item to Council explaining that this item has a revised amount of \$168,208.70, the amount due from USDA is revised to \$130,147.69. The reason for the revised amount is because the town objected to, or wanted more clarification, on certain items on the pay application from AMEC. AMEC did not have time to get that to them so they agreed to a \$20,000.00 reduction. Within the next couple weeks Town Manger Heatherly will get with AMEC and go through the items in question and find out the exact amounts and adjust accordingly. Councilmember Castaneda motioned to approve, subject to funding agency concurrence, payment application for AMEC, in the amount of \$168,208.70 for Design, Program Management and Construction

Management Services (\$38,061.01 due from WIFA; \$130,147.69 due from USDA), as recommended by the Wastewater Advisory Board. Motion seconded by Councilmember Medina. Mayor Dalley calls for the vote. Vote – 5 in favor and 2 members excused (Councilmember Black and Councilmember Gonzales). MOTION PASSED.

**10. CALL TO THE COUNCIL:**

Mayor Dalley thanks everyone for attending the meeting, trying to get people to the meetings and to participate in the town. Genesis and other groups need volunteers so try and get the word out.

Councilmember Castaneda comments regarding a conversation she had with Mr. Mike Luecker of USDA regarding the Town of Miami's Wastewater Advisory Board and what a tremendous job they do for the project. They bring a lot of talent to the Wastewater meetings and that is hard to come by. Councilmember Castaneda invites everyone to the Wastewater Advisory Board meetings, they are open to the public.

**11. ADJOURNMENT:** Councilmember Castaneda motioned to adjourn the meeting. Motion seconded by Councilmember Hanson. Mayor Dalley calls for the vote. Vote – 5 in favor and 2 members excused (Councilmember Black and Councilmember Gonzales). MOTION PASSED.

Adjourned 7:44 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 25<sup>th</sup> day of April 2016.

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

DATED this 9<sup>th</sup> day of May 2016.



Karen Norris, Town Clerk

**APPROVED:**

  
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Darryl Dalley, Mayor