

MINUTES

TOWN OF MIAMI

REGULAR MEETING OF THE MAYOR AND COUNCIL MONDAY, MAY 9, 2016 AT 6:30 PM

1. CALL TO ORDER:

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

2. PLEDGE OF ALLEGIANCE/INVOCATION:

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

3. ROLL CALL OF COUNCIL MEMBERS:

PRESENT: Mayor Dalley, Vice Mayor Reiman, Councilmember Castaneda, Councilmember Gonzales, Councilmember Hanson and Councilmember Medina.

EXCUSED: Councilmember Black.

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

4. CONSENT AGENDA:

- A. Consideration and possible action to approve Minutes of the April 25, 2016 Special Council Meeting.
- B. Consideration and possible action to approve use of the Miami Memorial Park, concession stand and restrooms for the Memorial Day Ceremony on May 30, 2016 at 9:00 a.m.
- C. Consideration and possible action to approve the Town Payroll for April 24, 2016.

Mayor Dalley makes a correction of the starting time for item B – Memorial Day Ceremony will begin at 10:00 instead of 9:00 a.m. Vice Mayor Reiman motioned to approve the consent agenda. Motion seconded by Councilmember Medina. Mayor Dalley calls for the vote. Vote – 6 in favor and 1 member excused (Councilmember Black). MOTION PASSED.

5. APPROVAL OF DEMANDS AND PRESENTATION OF BUDGET REPORTS:

- A. Consideration and possible action to approve the General Demands for April 21, 2016 to April 29, 2016.

Brief discussion and explanation of unemployment payments that were made, items bought for pool repair, credit card payments and payment to the Town attorney. Councilmember Hanson

motioned to approve the general demands for April 21, 2016 and April 29, 2016. Motion seconded by Councilmember Medina. Mayor Dalley calls for the vote. Vote – 6 in favor and 1 member excused (Councilmember Black). MOTION PASSED.

B. Review and discussion of the Revenues/Expenditures report for activities of April 2016.

Town Manager Heatherly states that this is an informational report only. Town Manager Heatherly briefly reviews the revenue receipts portion of the report. Brief review of the utility revenues. Open discussion regarding the senior center being at 110% of the revenues. Town Manager Heatherly explains that the senior center received more money this year than what was anticipated. Discussion regarding the senior center and transit department getting their reimbursement reports done more efficiently which has helped to receive the reimbursements much faster than as in the past. Discussion regarding staff coding expenses more accurately and this helps for more precise budgeting. Brief discussion regarding budgeting for magistrate, can it be done case by case. Discussion regarding the big jump in the parks and recreation department; this is due to the town buying supplies to get the pool ready to open for the summer. Town Manager Heatherly explains how some of the coding was done in the past that may have worked for the Town at that time, some things will change this year. Staff will be working on more accurate coding of expenses. Town Manager Heatherly states that some of these issues will be discussed in the budget work session.

6. REPORTS / RECOGNITIONS:

A. Department Reports.

Police Chief Gillen, Police Department report of statistics and activity. Reports that the Police Department assisted with the Richard and Kyle Petty Charity Run and the Harley Davidson film/photo shoot that took place. POST came in to perform a training audit. Nine police officers were recertified in CPR. The Police Department staff and officers also attended the Town's Stress Management training session.

Librarian Delvan Hayward reports on statistics and library activity. Ms. Hayward reports that the library does help people who need assistance with Downwinders claims. Ms. Hayward reports on upcoming events and training and that the Summer Reading program has a start date of June 10th.

B. Town Manager Report.

Town Manager Heatherly gives a progress report on the pool; plans to open the pool on May 17th for a school event and then to the public on Memorial weekend. Public Works Department is performing maintenance on all town facility coolers. Brief update on the sewer project. Announces there will be an old car enthusiasts club in town this weekend, planning to have up to 150 cars. The Town will be running the transit bus on Saturday, as a shuttle to the Bullion Plaza Museum. Have begun working on the reorganization of the administration staff duties. Reports on continuing working with the City of Globe to wrap up some issues of money that is owned to the Town of Miami. Reports on collection of approximately \$9,000.00 from FEMA for the emergency situation that took place in 2010. Working with ADOT to recover approximately

\$13,000.00 for reimbursement of the sign project. Report on the regional pool; COBRE Valley Regional Aquatic Center, working on location for the facility and forming a taxing district. Town Manager Heatherly reports he will be out of the office for 2 weeks at the end of this month and will send out a notice of who will be in charge while he is out.

C. Mayor/Council Reports.

Councilmember Hanson reports on the Saturday Art and Antique Evening Walk. This was the first of four events planned and are working to incorporate this event with Music in the Park.

Councilmember Medina announces that Boomtown Spree will be held April 7th and 8th, 2017. Comments on issues with the stop signal at Reppy Avenue; believes this has been repaired. Also, 71 years ago on May 8th, 1945 the war in Europe ended, VE-Day. The war in the Pacific with Japan would end in August.

Mayor Dalley announces that Councilmember Gonzales is the coach for the Miami Jr. High girls softball team and they won the district championship. The boys baseball team went to state finals and did very well there. The tennis team is doing very well.

7. CALL TO THE PUBLIC: No response.

8. UNFINISHED BUSINESS:

A. Information, discussion and possible action: To appoint one (1) member to the Municipal Property Corporation (MPC):

- 1) Name to be determined by Council - Citizen at large – 3 year term/term to expire April 2019.

Vice Mayor Reiman nominates Mr. Ron Hughes to the 3 year term on the MPC. Motion seconded by Councilmember Hanson. Brief discussion regarding the MPC by-laws and do they allow for Non-Town of Miami residents to sit on the Board. Brief discussion regarding Mr. Hughes being a Town of Miami resident. Vice Mayor Reiman amends his motion to nominate Mr. Ron Hughes, provided that he is qualified. Councilmember Gonzales seconded the amendment. Mayor Dalley calls for the vote. Vote – 6 in favor and 1 member excused (Councilmember Black). MOTION PASSED.

9. NEW BUSINESS:

A. Information, discussion and possible action:

- (1) To conduct a Public Hearing to take public comment regarding the Rural Transit Program Section 5311 Grant Application for continued management and operation of the Cobre Valley Community Transit Program serving the Town of Miami, City of Globe and surrounding areas.

a) Open Public Hearing – Mayor Dalley ~7:25 pm

- b) Receive Public Comments and open discussion regarding Grant Application for continued management and operation of the Cobre Valley Community Transit Program serving the Town of Miami, City of Globe and surrounding areas.

Town Manager Heatherly explains that this is an annual requirement by ADOT to apply for the grant for the transit system. This is just looking for anyone from the public or any public entities who may object to this application. Mr. Ray Webb – Miami resident – comments that he feels the transit system is very important to the community. He hopes that when the Town starts the budgeting process that they look at what this is costing the Town of Miami. Mr. Webb states that he understands that this is supposed to be a partnership between the surrounding communities and it should be an equal partnership. It needs to be fair to the Town of Miami in operating this program. Councilmember Castaneda asks if Gila County is still a partner in this program. Town Manager Heatherly states that yes they are. No further comments.

- c) Close Public Hearing – Mayor Dalley ~7:30 p.m.

- (2) To approve Resolution No. 1175; authorizing the Town to apply for Arizona Department of Transportation Section 5311 Funds for continued management and operation of the Cobre Valley Community Transit Program serving the Town of Miami, City of Globe and surrounding areas.

Town Attorney Smiley clarifies that the Council is only approving the grant application for funds from ADOT, once the grant comes in Council gets a chance to look at it again. This will not affect the IGA with the City of Globe or Gila County to run the program. Vice Mayor Reiman states that there are time limitations to apply for the funds, so if Council decided not to make the application the Town would be out of the transit business. If Council does apply and get the grant, providing the other negotiations provide enough money for the Town then we can continue forward and provide the service. Councilmember Medina motioned to approve Resolution No. 1175; authorizing the Town to apply for Arizona Department of Transportation Section 5311 Funds for continued management and operation of the Cobre Valley Community Transit Program serving the Town of Miami, City of Globe and surrounding areas. Motion seconded by Councilmember Hanson. Mayor Dalley calls for the vote. Vote – 6 in favor and 1 member excused (Councilmember Black). MOTION PASSED.

- B. Information, discussion and possible action:** To approve Resolution No. 1173; approving Rebecca Baeza as Miami Town Magistrate and providing for appointment of a Magistrate Pro Tem to serve in the event of an absence by the Town Magistrate.

Town Manager Heathely presents this to Council explaining that this is basically asking to renew the current agreement in that is currently in place with Judge Baeza. Councilmember Castaneda states that she would be interested to know if the Town has any other options that would be more favorable for the Town. Councilmember Hanson states that she agrees with Councilmember Castaneda and that she feels it would be nice to have someone who is more for the Town of Miami. Brief discussion regarding what would happen and who would be the Magistrate if Judge Baeza was not reappointed. Town Manager Heatherly comments that when

he first started he was seeing some issues with citations being issued and amount that the fines were. He made an appointment with Judge Baeza to discuss his concerns with her, and not telling a Judge how to do her business, just to discuss his concerns. Since then, he has seen improvement in the dollar amounts in fines and in the leniency. Town Manager Heatherly states that he has heard that the Town can hire a Magistrate but would guess that it would be a lot more money than what we are paying now, don't know that the Town could do it any less expensive. He suggests keeping open the line of communications and if the Town starts to see something change, have a meeting with Judge Baeza and discuss it. Councilmember Hanson motioned to table this item and have staff look into other options. Motion seconded by Mayor Dalley. Discussion regarding Judge Baeza's contract ends today and who would handle cases if this was to be tabled. Open discussion regarding various options the Town could choose to go with. Vice Mayor Reiman asks that given the nature of the funds that the Town may or may not owe the court system, if the Town's refuses to "play ball" would this situation raise the whole spectrum and put all of them in a potential expensive situation? Town Manager Heatherly states that it could. Brief discussion regarding approving the resolution and terminating it at any time if the Town chooses to do so. Town Attorney Smiley states that the Resolution states that termination can only be "for cause". Brief discussion regarding Judge Baeza's length of service and her experience, as well as, her vested interest in the Town of Miami. Mayor Dalley calls for the vote. Vote – 1 member in favor and 5 members opposed (Mayor Dalley, Vice Mayor Reiman, Councilmember Castaneda, Councilmember Gonzales and Councilmember Medina) and 1 member excused (Councilmember Black). MOTION FAILED. Vice Mayor Reiman motioned to approve Resolution No. 1173; approving Rebecca Baeza as Miami Town Magistrate and providing for appointment of a Magistrate Pro Tem to serve in the event of an absence by the Town Magistrate. Motion seconded by Councilmember Medina. Mayor Dalley calls for the vote. Vote – 6 in favor and 1 member excused (Councilmember Black). MOTION PASSED.

C. Information, discussion and possible action: To approve Ordinance No. 347; amending the Town Code of Miami, Arizona Title 2 Administration and Personnel, Chapter 2.04 Town Council, Section 2.04.040 Regular Meetings related to holding two Regular Meetings per month.

Town Attorney Smiley explains to Council that the Town Code only provides for 1 Regular Meeting a month. Currently the Town Council meets 2 times a month, the second and fourth Monday. The first meeting is considered a Regular Meeting and the second meeting is considered a Special meeting. Years ago Council would have just one meeting a month, but for many years now the Council has been having two meetings a month. This ordinance is cleaning up the Town Code to coincide with what Council is now doing and to match the proposed changes in Agenda Item D. Councilmember Castaneda motioned to approve Ordinance No. 347; amending the Town Code of Miami, Arizona Title 2 Administration and Personnel, Chapter 2.04 Town Council, Section 2.04.040 Regular Meetings related to holding two Regular Meetings per month. Motion seconded by Councilmember Medina. Brief discussion regarding the difference between a Regular and Special meeting. Discussion regarding Council meetings being held on Mondays vs having them on Tuesdays. Vice Mayor Reiman comments that at some point the Town will be administered regularly and will not require a meeting every two weeks, but would now be required to have a meeting every two weeks. Town Attorney Smiley states that if that were to happen a Notice of Meeting Cancellation can be posted. Mayor Dalley calls for the vote. Vote 4 in favor, 2 members

opposed (Vice Mayor Reiman and Councilmember Gonzales) and 1 member excused (Councilmember Black). MOTION PASSED.

- D. Information, discussion and possible action:** To approve Resolution No. 1174; to amend the Town of Miami Town Council Rules and Procedures Section 4 – Meetings of Town Council and Boards, Commissions and Committees, Subsection 4.1 – Agenda Item Submittal to Council Regular and Special Meetings and Workshops and 4.3 – Council Packets.

Town Clerk Norris presents this to Council. This item was presented to Council at the last meeting for direction to make changes to the agenda item submittal process in the Council Procedure Manual. This resolution is to formerly adopt the changes. Vice Mayor Reiman states that the word "Special Meetings" should be stricken from 4.1 since there are no more Special Meetings, unless specifically called for. Brief discussion regarding waiting until Friday to get the Council Packets. Brief discussion regarding if this would apply to other Boards, Committees or Commissions. Boards, Committees and Commissions have their own procedures, so they would follow those. Brief discussion regarding time issues with getting WWAB (Wastewater Advisory Board) agenda items and back up information to get their packets done in time for those meetings. There have been some adjustments made to address those issues and it has very recently started getting better. Councilmember Hanson motioned to approve Resolution No. 1174; to amend the Town of Miami Town Council Rules and Procedures Section 4 – Meetings of Town Council and Boards, Commissions and Committees, Subsection 4.1 – Agenda Item Submittal to Council Regular and Special Meetings and Workshops and 4.3 – Council Packets. Motion seconded by Councilmember Medina. Councilmember Hanson amended her motion to include "striking Special Meetings from item 4.1. Amendment seconded by Councilmember Medina. Mayor Dalley calls for the vote. Vote – 6 in favor and 1 member excused (Councilmember Black). MOTION PASSED.

- E. Information, discussion and possible action:** To give direction to Town Manager to schedule 2016/2017 Budget Work Session, setting a date and time.

Town Manager Heatherly explains that it is that time of year again and we need to set up a budget worksession and we need to do this as soon as possible in order to stay on track with the budget process timeline. Open discussion of dates and times that will work for everyone. Mayor Dalley motioned to set a budget worksession for Monday, May 16th at 5:00 p.m. Motion seconded by Councilmember Medina. Mayor Dalley calls for the vote. Vote – 6 in favor and 1 member excused (Councilmember Black). MOTION PASSED.

10. CALL TO THE COUNCIL: No response.

11. ADJOURNMENT:

Councilmember Castaneda motioned to adjourn the meeting. Motion seconded by Councilmember Hanson. Mayor Dalley calls for the vote. Vote – 6 in favor and 1 member excused (Councilmember Black). MOTION PASSED.

Meeting adjourned at 8:10 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 9th day of May, 2016.

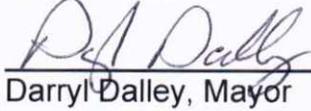
I further certify that the meeting was duly called and that a quorum was present.

DATED this 23rd day of May 2016.



Karen Norris, Town Clerk

APPROVED:



Darryl Dalley, Mayor