

# MINUTES

## TOWN OF MIAMI

### BUDGET PUBLIC HEARING AND REGULAR MEETING OF THE MAYOR AND COUNCIL MONDAY, JULY 25, 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 Castaneda, Councilmember Gonzales, Councilmember Hanson (telephonically) and Councilmember Medina.

**EXCUSED:** Mayor Dalley and Councilmember Black.

**STAFF PRESENT:** Town Manager Heatherly, Town Attorney Smiley and Finance Clerk Maria Lopez.

#### 4. CONSENT AGENDA:

- A. Consideration and possible action to approve Minutes of the July 11, 2016 Regular Meeting.
- B. Consideration and possible action to approve the Town Payroll for July 17, 2016.

Councilmember Castaneda motioned to approve the consent agenda. Motion seconded by Councilmember Medina. Vice Mayor Reiman calls for the vote. Vote – 5 in favor and 2 members excused (Mayor Dalley and Councilmember Black). MOTION PASSED.

#### 5. APPROVAL OF DEMANDS AND PRESENTATION OF BUDGET REPORTS:

- A. Consideration and possible action to approve the General Demands for July 5, 2016 to July 15, 2016.

Councilmember Castaneda motioned to approve the general demands for July 5, 2016 to July 15, 2016. Motion seconded by Councilmember Medina. Questions and comments regarding various demands. Vice Mayor Reiman calls for the vote. Vote – 5 in favor and 2 members excused (Mayor Dalley and Councilmember Black). MOTION PASSED.

## 6. REPORTS / RECOGNITIONS:

A. Department Reports.

B. Town Manager Report.

Town Manager Heatherly gives a brief report for each department. Gives a brief update on the regional pool. Reports on the TAC meeting that was held last week. Reports on meeting with the owner of the YMCA building, they are interested in being involved with the community and see some potential use of the building. Update on the Tri-City Sanitary issue. Comments on meeting with Tim Leclair of AMEC, Ron Hilgart and Mark Ipson to discuss what the Town needs to do for Phases 3-5. Performance reviews are completed and will report the findings at the next Council meeting. Briefly reports on last weeks Music in the Park; Neto Vasquez and the Band Imagine played.

C. Mayor/Council Reports.

Councilmember Medina gives a brief update on the planning of Boomtown Spree. Not sure yet if it will be a 3 day event or just a one day event, will discuss with the Chamber of Commerce and see what they suggest. Councilmember Medina comments that after August 17<sup>th</sup>'s meeting they will have a better idea. Reports attending the Wastewater Advisory Boarding meeting last week, very impressed with Joe's performance at the meeting.

Vice Mayor Reiman announces that he has been recently appointed to the Board of the Chamber of Commerce. If anyone has any items they would like to be addressed by the Board he would be happy to present them.

## 7. CALL TO THE PUBLIC:

Mr. Mark Marin, Globe resident, passes along a comment that he received from Mr. Gilbert Renteria regarding the Town not flying the flag at half mass in honor of the police officers that have been slain recently.

## 8. UNFINISHED BUSINESS:

## 9. NEW BUSINESS:

**A. PUBLIC HEARING, DISCUSSION AND ACTION:** To hold a public hearing and adopting Resolution No. 1181, as adopting the final budget for the Town of Miami for fiscal year 2016/2017, and approving an alternative expenditure limitation to govern the Town of Miami budget for fiscal year 2016/2017 in an amount equal to the total amount of budgeted expenditures/expenses as it appears on the annual budget:

1) Open Public Hearing ~ Vice Mayor Reiman – 6:46 p.m.

2) Open Discussion and Public Comments regarding adoption of the tentative budget as the final budget for Fiscal Year 2016/2017.

No public comments.

- 3) Close Public Hearing ~ Vice Mayor Reiman – 6:46 p.m.
- 4) Council Discussion, Motion and Action to approve Resolution No. 1181 adopting the final budget for fiscal year 2016/2017 and setting an expenditure limitation to govern the Town of Miami budget for fiscal year 2016/2017.

Councilmember Medina motioned to approve Resolution No. 1181, adopting the final budget for fiscal year 2016/2017 and setting an expenditure limitation to govern the Town of Miami budget for fiscal year 2016/2017. Motion seconded by Vice Mayor Reiman. Vice Mayor Reiman calls for the vote. Vote – 5 in favor and 2 members excused (Mayor Dalley and Councilmember Black). MOTION PASSED.

**B. Information, discussion and possible action:** To review current situation with Mackey's Camp crossing and give direction to Town Manager on how to proceed.

Town Manager Heatherly presents this item to Council. He just spoke to Mr. Barnes at Gila County and he has talked to ADOT regarding this project. ADOT is willing to do the design work for the Town and is willing to meet this week or next week. Town Manager Heatherly states that he has spoken with the Department of Emergency Management Authority and they will not agree to extend the contract and they only fund projects on a reimbursement basis. After the meeting with ADOT, Joe is going to get with Gila County one more time and another possible entity regarding advancing the money. If the Town cannot work something out with the other entities the Town will not be able to do this project. Brief discussion regarding the ownership of the property, crossing. No action taken on this item.

**C. Information, discussion and possible action:** To approve, subject to funding agency approval, Change Order #25: \$92,302.34, decrease in Kinkaid Civil Construction's contract price to remove the Cactus Alley area from this phase of the project, as recommended by the Wastewater Advisory Board.

Town Manager Heatherly presents this item to Council and comments briefly on this Change Order. Councilmember Castaneda motioned to decrease in the amount of \$92,302.34 pertaining to order number 25 which is a decrease in Kinkaid Civil Construction's contract price to remove the Cactus Alley area from this phase of the project, as recommended by the Wastewater Advisory Board. Motion seconded by Councilmember Medina. Councilmember Gonzales questions why the engineers didn't get this design right, it should have been on the initial design. Town Manager Heatherly comments, without placing blame on Kinkaid, they could not do what was originally planned, so we need to have an alternative. Vice Mayor Reiman calls for the vote. Vote - 4 in favor, 1 member opposed (Councilmember Gonzales) and 2 members excused (Mayor Dalley and Councilmember Black). MOTION PASSED.

**D. Information, discussion and possible action:** To approve, subject to funding agency approval, Change Order #26: \$74,841.48, increase in Kinkaid Civil Construction's contract price to cover costs incurred for the redesign of the Canyon

Avenue area per drawings PP29-PP32 and DT05, as recommended by the Wastewater Advisory Board.

Town Manager Heatherly presents this item to Council and briefly discusses this change order. Councilmember Medina motioned to approve, subject to funding agency approval, Change Order #26: \$74,841.48, increase in Kinkaid Civil Construction's contract price to cover costs incurred for the redesign of the Canyon Avenue area per drawings PP29-PP32 and DT05, as recommended by the Wastewater Advisory Board. Motion seconded by Councilmember Castaneda. Vice Mayor Reiman calls for the vote. Vote – 5 in favor and 2 members excused (Mayor Dalley and Councilmember Black). MOTION PASSED.

**E. Information, discussion and possible action:** To approve, subject to funding agency concurrence, payment application for Kinkaid Civil Construction, in the amount of \$310,400.85 for Phase 2 Construction Services, as recommended by the Wastewater Advisory Board.

Vice Mayor Reiman states that the amount of the payment application has been reduced to \$294,958.31. The reason for the change in the amount is because there were items included that the Town Manager and Advisory Board felt were not appropriate at this time. The Contractor revised the payment application. A meeting was held at 6:00 p.m. this evening for the Wastewater Board to approve that change. Councilmember Gonzales commends Town Manager Heatherly for his review of all the allowances with "a fine tooth comb". Councilmember Medina motioned to approve, subject to funding agency concurrence, payment application for Kinkaid Civil Construction, in the amount of \$294,958.31 for Phase 2 Construction Services, as recommended by the Wastewater Advisory Board. Motion seconded by Councilmember Castaneda. Vice Mayor Reiman calls for the vote. Vote – 5 in favor and 2 members excused (Mayor Dalley and Councilmember Black). MOTION PASSED.

**F. Information, discussion and possible action:** To approve, subject to funding agency concurrence, payment application for AMEC, in the amount of \$61,137.64 for Design and Construction Management Services, as recommended by the Wastewater Advisory Board.

Town Manager Heatherly presents this item to Council and comments briefly on the payment application for AMEC. Brief discussion regarding some small issue of the RPR (Resident Project Representative) and the individual who was sent up in his place; pay rate billing question. Councilmember Castaneda motioned to approve, subject to funding agency concurrence, payment application for AMEC, in the amount of \$61,137.64 for Design and Construction Management Services, as recommended by the Wastewater Advisory Board. Motion seconded by Councilmember Medina. Vice Mayor Reiman calls for the vote. Vote – 5 in favor and 2 members excused (Mayor Dalley and Councilmember Black). MOTION PASSED.

**G. Information, discussion and possible action:** To approve, subject to funding agency concurrence, payment application for Gust Rosenfeld, in the amount of \$4,204.93 for Legal Services, as recommended by the Wastewater Advisory Board.

Town Manager Heatherly presents this item to Council. Councilmember Castaneda motioned to approve, subject to funding agency concurrence, payment application for Gust Rosenfeld, in the

amount of \$4,204.93 for Legal Services, as recommended by the Wastewater Advisory Board. Motion seconded by Councilmember Medina. Vice Mayor Reiman calls for the vote. Vote – 5 in favor and 2 members excused (Mayor Dalley and Councilmember Black). MOTION PASSED.

**H. Information, discussion and possible action:** To approve, subject to funding agency concurrence, payment application for Town of Miami, in the amount of \$3,442.97 for project-related expenses and credit from WIFA for early payment of Sewer Project Loan as recommended by the Wastewater Advisory Board.

Town Manager Heatherly presents this item to Council. Councilmember Castaneda motioned to approve, subject to funding agency concurrence, payment application for Town of Miami, in the amount of \$3,442.97 for project-related expenses and credit from WIFA for early payment of Sewer Project Loan as recommended by the Wastewater Advisory Board. Motion seconded by Councilmember Medina. Vice Mayor Reiman calls for the vote. Vote – 5 in favor and 2 members excused (Mayor Dalley and Councilmember Black). MOTION PASSED.

**Town Manager Heatherly requests Council to address item K at this time due to contract approval and payment request.**

**K. Information, discussion and possible action:** To approve, subject to funding agency concurrence, HilgartWilson Contract in the amount of \$175,748.00 for program management services through the end of Phase 2 construction, WIFA coordination and Phase 3-5 easement support and Phase 3-5 design review, as recommended by the Wastewater Advisory Board.

Town Manager Heatherly states that several months ago that these were approved, in principle, by the Wastewater Advisory Board and by Council. Have been working over that last couple months to put the contract into form that USDA requires. Brief discussion and explanation regarding the change. Brief discussion regarding if the Town can do the contract change without going out to bid. Town Attorney Smiley states that she is sure that the Town can make the change without going out to bid. Brief discussion regarding program management and construction management services. Councilmember Medina motioned to approve, subject to funding agency concurrence, HilgartWilson Contract in the amount of \$175,748.00 for program management services through the end of Phase 2 construction, WIFA coordination and Phase 3-5 easement support and Phase 3-5 design review, as recommended by the Wastewater Advisory Board. Motion seconded by Councilmember Castaneda. Vice Mayor Reiman calls for the vote. Vote – 5 in favor and 2 members excused (Mayor Dalley and Councilmember Black). MOTION PASSED.

**I. Information, discussion and possible action:** To approve, subject to funding agency concurrence and subject to Council's and USDA's approval of the HilgartWilson contract, payment application for HilgartWilson, in the amount of \$28,338.90 for three months of Program Management Services, as recommended by the Wastewater Advisory Board.

Town Manager Heatherly presents this item to Council. Councilmember Castaneda motioned to approve, subject to funding agency concurrence and subject to Council's and USDA's approval of the HilgartWilson contract, payment application for HilgartWilson, in the amount of \$28,338.90

for three months of Program Management Services, as recommended by the Wastewater Advisory Board. Motion seconded by Councilmember Medina. Vice Mayor Reiman calls for the vote. Vote – 5 in favor and 2 members excused (Mayor Dalley and Councilmember Black). MOTION PASSED.

- J. Information, discussion and possible action:** To approve, subject to funding agency concurrence, AMEC Contract Amendment No. 30, in the amount of \$47,260.00 this includes funds for additional Construction Management services, including Resident Project Representative (RPR), Resident Engineer (RE), and other construction phase services, as recommended by the Wastewater Advisory Board.

Town Manager Heatherly explains that the Wastewater Advisory Board tabled this item and would like Council to table it as well. Vice Mayor Reiman motioned to table this item. Motion seconded by Councilmember Medina. Vice Mayor Reiman calls for the vote. Vote – 5 in favor and 2 members excused (Mayor Dalley and Councilmember Black). MOTION PASSED.

- L. Information, discussion and possible action:** To approve, subject to funding agency concurrence, the Town Manager to approve contracts totaling up to \$100,000.00 for additional design investigation services for Phases 3-5, including sewer line videotaping, soil investigation and utility potholing, as recommended by the Wastewater Advisory Board.

Town Manager Heatherly presents this item to Council and explains the purpose of this request. Town Manager Heatherly states that the plan is, if Council approves this, starting the first week in August, they will take the drawings, go out into the field and walk every street. They will look at every manhole and video anything that has not already been videoed. Want to look at everything that is out there. Will get with Arizona Water and figure out how to work this together. Will look at the structure and integrity of the existing roads. Town Manager Heatherly comments regarding being proactive and spend the money up front and try to figure out where it is that we are and where we want to go with Phase 3, 4 and 5 and try to minimize the potential change orders. Vice Mayor Reiman comments that he knows this has not been done but if there are charges to the Town for doing it, then the Town needs to talk about getting the charges offset. Brief discussion regarding whether or not the Town has funds budgeted to cover this expense. Councilmember Gonzales comments that he would like to see an itemized report of what each phase is going to be and also would like to see this done one phase at a time, concerned about running out of money before getting to phase 4 or 5. Councilmember Castaneda motioned to approve, subject to funding agency concurrence, the Town Manager to approve contracts totaling up to \$100,000.00 for additional design investigation services for Phases 3-5, including sewer line videotaping, soil investigation and utility potholing, as recommended by the Wastewater Advisory Board. Motion seconded by Councilmember Medina. Vice Mayor Reiman calls for the vote. Vote 4 in favor, 1 member opposed (Councilmember Gonzales) and 2 members excused (Mayor Dalley and Councilmember Black). MOTION PASSED.

**10. CALL TO THE COUNCIL:**

Councilmember Castaneda announces a fund raiser this Saturday for Mr. Trujillo's grandson who is going to the Olympics, to raise money for him and his parents to go to Rio. It will be at the Bullion Plaza Gym, this Saturday at 3:00 p.m.

Vice Mayor Reiman comments regarding the turn out for Music in the Park, thinks things are going in the right direction in respect of that event. Vice Mayor Reiman comments that he attended the Humane Society Dinner at Bullion Plaza and was impressed with the center and it has certainly become a community activity center.

**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 excused (Mayor Dalley and Councilmember Black). MOTION PASSED.

Meeting adjourned at 8:00 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 25<sup>th</sup> day of July, 2016.

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

DATED this 8<sup>th</sup> day of August 2016.



Karen Norris, Town Clerk

**APPROVED:**



Darryl Dalley, Mayor