



MINUTES

TOWN OF MIAMI

PUBLIC HEARING & REGULAR MEETING OF THE MAYOR AND COUNCIL MONDAY, JULY 13, 2020 AT 6:30 PM

1. CALL TO ORDER:

Mayor Gonzales calls the meeting to order at 6:30 p.m.

2. PLEDGE OF ALLEGIANCE/INVOCATION:

Mayor Gonzales led the pledge of allegiance and Councilmember Medina led the invocation.

3. ROLL CALL OF COUNCIL MEMBERS:

PRESENT: Mayor Gonzales, Vice Mayor Moat, Councilmember Black, Councilmember Bringhurst, Councilmember Medina, Councilmember Reiman and Councilmember Sosh.

STAFF PRESENT: Town Manager Heatherly, Town Attorney Goodwin (telephonically), Engineering Tech Derhammer, Finance Director Steele, Utility Coordinator Jerrols and Town Clerk Norris.

4. CONSENT AGENDA:

- A. Consideration and possible action to approve Minutes of the June 19, 2020 Special meeting and June 22, 2020 Regular meeting.
- B. Consideration and possible action to approve the Town Payroll for June 28, 2020.

Councilmember Black moved to approve the consent agenda. Seconded by Councilmember Medina. Mayor Gonzales calls for the vote. Vote – Mayor Gonzales – yea, Vice Mayor Moat – yea, Councilmember Black – yea, Councilmember Bringhurst – yea, Councilmember Medina – yea, Councilmember Reiman – yea and Councilmember Sosh - yea. MOTION PASSED.

5. APPROVAL OF DEMANDS AND PRESENTATION OF BUDGET REPORTS:

- A. Consideration and possible action to approve the General Demands for June 19, 2020 to July 9, 2020.

Open discussion and comments regarding various demands paid. Councilmember Medina moved to approve the general demands for June 19, 2020 to July 9, 2020. Seconded by Councilmember Bringhurst. Mayor Gonzales calls for the vote. Vote – Mayor Gonzales – yea,

Vice Mayor Moat – yea, Councilmember Black – yea, Councilmember Bringhurst – yea, Councilmember Medina – yea, Councilmember Reiman – yea and Councilmember Sosh - yea.
MOTION PASSED.

6. REPORTS / RECOGNITIONS:

A. Town Manager Reports.

Town Manager Heatherly reports that the Police Department will be getting 2 donated vehicles from Arizona Department of Public Safety (DPS). Reports that the Police Department has received a grant in the amount of \$10,000.00 from the Attorney General Office; it will be used for personal protection equipment and/or operating equipment. Brief report on the preparation for the audit. Reports on notice he received from Gila County regarding an issue they are having with their accounting system and will update Council when he gets more information on this and if there will be any impact on the Town of Miami.

B. Mayor/Council Reports.

Vice Mayor Moat announces there will be free COVID testing at Canyonlands on Wednesday. Comments on the proposed property tax and that citizens have been talking to him about it. Vice Mayor Moat states that we are currently in a pandemic and it is costing everyone and feels this is a bad time to be talking about increasing the property tax. Announces that there is free WiFi at the Town of Miami Memorial Library parking lot and at the Veterans Memorial Park as well.

Mayor Gonzales comments that he has to give “kudos” to the Miami Police Chief for having his men out on the 4th of July weekend; really seen their presence out there.

Councilmember Medina comments on the importance of the Census and Home Rule. Comments that the large flag was put out at Bullion Plaza for the 4th of July. Explains why the flags were at half-staff on several days. Gives thanks to Mr. Jesse Bryant for organizing the last-minute parade/motorcade celebrating Independence Day. Comments on the flag waving celebration along Highway 60 and at the junction of Highway 60/70 in Globe and his participation in this event. Comments that Black Lives Matter Movement had left a statement on the sidewalk across the street from the Police Department, it was in colorful chalk and artistically done but was washed away. Comments on the progress of Dave’s Fast Stop in Miami; planning a Grand Opening possibly at the end of July.

7. UNFINISHED BUSINESS:

8. NEW BUSINESS:

- A. Information, discussion and possible action:** To approve Resolution No. 1244 (*****Note this was listed as Resolution 1242 on the agenda – that was a typo and the actual resolution number is 1244**) appointing the Town of Miami Town Manager as Chief Financial Officer of the Town for the purpose of submitting the Annual Expenditure Limitation Report to the Arizona Auditor General’s Office.

Town Clerk Norris presents this resolution to Council explaining that Council passed a similar resolution in April. This is something that is required in order for the Town to submit the Annual Expenditure Limitation Report to the Arizona Auditor General's Office. This is something that will need to be done on a regular basis at the beginning of every fiscal year. Councilmember Black comments that this is new to him so he made a few calls to some towns our size to see who normally does this and was told that the Finance Officer usually submits the report, not the Town Manager, why are we not doing it that way. Mayor Gonzales states that he thinks it is because we do not have a Finance Director that has the credentials so that is why the Town Manager is appointed the CFO. Councilmember Medina moved to approve Resolution No. 1244 appointing the Town of Miami Town Manager as Chief Financial Officer of the Town for the purpose of submitting the Annual Expenditure Limitation Report to the Arizona Auditor General's Office. Seconded by Councilmember Reiman. Mayor Gonzales calls for the vote. Vote – Mayor Gonzales – yea, Vice Mayor Moat – yea, Councilmember Black – yea, Councilmember Bringhurst – yea, Councilmember Medina – yea, Councilmember Reiman – yea and Councilmember Sosh - yea. MOTION PASSED.

B. Information, discussion and possible action: To approve Ordinance No. 372 amending the Code of Miami, Title 5 Business Licenses and Regulations, Chapter 5.04 Business Licenses by amending Sections 5.04.010 Definitions, 5.04.020 Issuance of Licenses, 5.04.050 Payment, 5.04.060 Posting of License, 5.04.070 Inspector of Licenses; Enforcement, 5.04.090 Fees; Effective Dates; Late Fees, 5.04.100 Application Information Required, 5.04.120 Denial and Revocation of Licenses; Hearing and 5.04.130 Appeal to establish requirements and procedure for business owners regarding the acquisition of a business license within the Town of Miami; providing for repeal of conflicting ordinances.:

Engineering Tech, Josh Derhammer presents this ordinance to Council. Mr. Derhammer explains that staff has been working on way to improve the business license issuance procedure. Mr. Derhammer reviews some of the proposed key changes in the ordinance. Mr. Derhammer points out the new business license application form and added instruction page. Mr. Derhammer states a site plan has also been added to the application process. Comments on additional ways to renew a business license. Councilmember Bringhurst thanks Mr. Derhammer for proposing the licensing term of 2 years. Councilmember Bringhurst asks about the inspection intervals. Mr. Derhammer explains that staff is going to try and do 1 inspection per year. Vice Mayor Moat asks if Girl Scouts selling cookies would need a business license. Mr. Derhammer explains that they would need to get a temporary license. Mayor Gonzales comments regarding a change in Section 5.04.040 A, where the issuance of a license was handled by the Town Clerk and the proposed change is have it done by the Director of Engineering and Development. Mr. Derhammer explains that is an effort to streamline the license issuance process. Mayor Gonzales states that he feels the proposed ordinance is great except for that portion. Mayor Gonzales explains in discussion with the League of Cities and Towns the Town Clerk is supposed to be over the Business Licensing. Also, about a year ago Council voted to renew the Town Clerk's contract for a 5 year period and in that contract business licenses are listed as one of the Town Clerk's duties. Town Attorney Goodwin states that the reason the League of Cities and Town's says it is the Town Clerk that does the business licensing is because there is a State statute that states that the Town Clerk is

supposed to issue business licenses. Town Attorney Goodwin explains that usually what happens in cities and towns is that the Town Clerk does the paperwork issuing the license but there is due diligence that has to happen and gets referred to other departments to make sure that inspections or other requirements are met. Councilmember Black comments that he feels licenses and things like that should be done out of the townhall and thinks it should stay that way. Councilmember Black moved to approve Ordinance No. 372 with the amendment that the Clerk continue issuing licenses to the businesses in the Town of Miami. Seconded by Councilmember Medina. Councilmember Reiman states that he kind of agrees with Councilmember Black. The Town Clerk keeps the official records, and licenses are official records, then that is what you have to do. Councilmember Reiman suggests giving this back to staff to go over this ordinance and clean it up and keep the Clerk in charge of issuing the license and official records. Councilmember Black withdraws his motion and moves to table this item until the changes discussed are put into the new ordinance. Councilmember Medina withdraws his second and seconds the motion to table. Mayor Gonzales points out that in Section 5.04.090 staff proposed to issue the business licenses for a period of 2 years and he believes that State statute only allows issuing business licenses for a period of 1 year. Town Attorney Goodwin states she is not real sure about that but she will check into it and report back. Mayor Gonzales calls for the vote. Vote – Mayor Gonzales – yea, Vice Mayor Moat – yea, Councilmember Black – yea, Councilmember Bringhurst – nay, Councilmember Medina – yea, Councilmember Reiman – yea and Councilmember Sosh - yea. MOTION PASSED – ITEM TABLED.

C. Information, discussion and possible action: Approval of Resolution No. 1243, adopting a Residential Antidisplacement and Relocation Assistance Plan for FY 2020/2021, as required under Section 104(d) of the Housing and Community Development Act of 1974 as amended.

Town Manager Heatherly presents this resolution to Council. This is a yearly resolution that we do and it is a requirement for us to apply for certain grants. Councilmember Medina moved to approve Resolution No. 1243, adopting a Residential Antidisplacement and Relocation Assistance Plan for FY 2020/2021, as required under Section 104(d) of the Housing and Community Development Act of 1974 as amended. Seconded by Councilmember Black. Mayor Gonzales calls for the vote. Vote – Mayor Gonzales– yea, Vice Mayor Moat – yea, Councilmember Black – yea, Councilmember Bringhurst – yea, Councilmember Medina – yea, Councilmember Reiman – yea and Councilmember Sosh – yea. MOTION PASSED.

D. Information, discussion and possible action: Public Hearing regarding the proposed use of FY 2019/2020 CDBG (Community Development Block Grant) Colonia Funds from the Arizona Department of Housing. After the Public Hearing is closed, the Council will select uses from the proposed list for which to request FY 2019/2020 CDBG Colonia funds. Proposed uses include:

1. Substantial Owner Occupied Housing Rehabilitation funding of approximately \$1,000,000.00 to assist approximately 16 income qualified households within the corporate limits of the Town of Miami.

a) Open Public Hearing – Mayor Gonzales. 7:19 p.m.

- b) Public comments and open discussion regarding the proposed use of CDBG Colonia Funds from the Arizona Department of Housing.

Mayor Gonzales asks Town Clerk Norris and Town Manager Heatherly if they have received any public comments or concern to be noted in the minutes. Both respond no. Mr. Alan Urban of CAG gives a brief presentation to Council and explains that the proposed project must meet 1 of 3 National Objectives. 1) Benefit low-income to moderate income persons in the area, 2) Alleviate slum and blight in the community and 3) Address an urgent need of the town (natural disaster or community health hazard). Mr. Urban explains that in order for the Town to receive CDBG funding the Town must have a Grievance procedure in place. The local government must have a relocation assistance plan. Explains the specific projects that are permitted under the Colonia funding program. The only project available for Miami is the Substantial Owner Occupied Housing Rehabilitation project. The Town is considering applying for approximately \$1,000,000.00 in CDBG Colonia funds from the Arizona Department of Housing in Fiscal Year 2019-2020 to assist approximately 16 income qualified households. This is a competitive round of funding and judged on a formula basis using a predetermined points system that is provide to applicants in advance. The grant application needs to be submitted by Tuesday the 14th. Brief discussion regarding the lien requirement of the grant. Right now we have 12 qualified applicants for the project. Town Manager Heatherly states that the Town received a letter of support/commitment from Gila Pueblo College to become a partner in this as well and they will look into reinstating the Building and Construction Program that they had. We also received a letter from Gila County stating that they will combine our program with their weatherization. Mr. Gabe Eylicio explains that this is an ongoing grant and comments on the certain qualification that applicants have to meet. It is on a first come, first serve basis of those who qualify. The first qualification is income. There is no deadline for applicant to submit an application.

- c) Close Public Hearing – Mayor Gonzales. 7:35 p.m.

E. Information, discussion and possible action: Approval of Resolution No. 1242 authorizing the submission of an application(s) for FY 2019/2020 State Community Development Block Grant Colonia Set Aside Funds, certifying that said application meets the community's previously identified housing and community development needs and the requirements of the State CDBG program, and authorizing all actions necessary to implement and complete the activities outlined in said application.

Councilmember Black moved to approve Resolution No. 1242 authorizing the submission of an application(s) for FY 2019/2020 State Community Development Block Grant Colonia Set Aside Funds, certifying that said application meets the community's previously identified housing and community development needs and the requirements of the State CDBG program, and authorizing all actions necessary to implement and complete the activities outlined in said application. Seconded by Councilmember Medina. Mayor Gonzales calls for the vote. Vote – Mayor Gonzales– yea, Vice Mayor Moat – yea, Councilmember Black – yea, Councilmember Bringhurst – yea, Councilmember Medina – yea, Councilmember Reiman – yea and Councilmember Sosh – yea. MOTION PASSED.

F. PUBLIC HEARING: To hold a Truth in Taxation Public Hearing on the proposed Primary Property Tax increase. To raise its Primary Property Taxes over last year's level; Miami is proposing an increase in Primary Property Taxes of \$44,000.00 or 22.13%:

- 1) Open Public Hearing ~ Mayor Gonzales. 7:40 p.m.
- 2) Open discussion and public comments regarding the proposed Primary Property Tax increase.

Mayor Gonzales asks if Town Clerk Norris or Town Manager Heatherly have received any public comments or concerns to be noted in the minutes. Both respond no. Mayor Gonzales reads a letter that was addressed to the Mayor and Council regarding the proposed property tax increase. The letter is from Mr. Ray Webb, a Miami resident. Mr. Webb voices his opposition to raising the property tax at this time. Mr. Webb comments regarding the state of the county with the Coronavirus and how it is affecting citizens in a terrible way, now is not the time to raise taxes. Mr. Webb comments on the past lack of leadership with the Town of Miami and this is not the time to raise taxes. Mr. Webb comments on the fact that much of the Town staff does not even live in the Town, but feel it is best to raise taxes. Mr. Webb asks if it would be good for the Town when people no longer can afford to live or do business here and must sell their properties?

Councilmember Black comments on the proposed tax increase, feels this would be a hardship on our community members. He is not opposed to possibly raising the taxes on a gradual basis. Vice Mayor Moat states he made his statement regarding this earlier in the meeting and does not feel this is the time to raise the taxes. Councilmember Sosh asks if this is approved will the taxes go up this year or next and will this be an ongoing thing. Town Manager Heatherly explains that over the past 6 years when the property tax value went up the Town would reduce its rate so there would be no effect to the citizens. At some point in time you cannot keep absorbing the increasing costs to run the town and not pass that on, it is mathematically impossible. Councilmember Sosh states he feels the proposed amount is a bit too high. Brief discussion regarding approving the final budget before making a decision on the property tax increase. It is explained that the proposed amount can be budgeted for and if it does not pass the Town just cannot spend the proposed amount. You can always spend less than budgeted for but not more. Councilmember Reiman gives a brief explanation of how the proposed property tax increase would affect a property tax bill. Mayor Gonzales states his issue is that any manager is going to anticipate operating costs increases and plan for the future and tighten things up. You can't not prepare for operating increases and then pass the costs on to the citizens, this is where he has a problem with this. Open discussion and comments regarding possibly approving a lower property tax increase.

- 3) Close Public Hearing ~ Mayor Gonzales. 8:04 p.m.

G. PUBLIC HEARING: To hold a public hearing on the final budget for the Town of Miami for fiscal year 2020/2021, and approving an alternative expenditure limitation to govern the Town of Miami budget for fiscal year 2020/2021 in an

amount equal to the total amount of budgeted expenditures/expenses as it appears on the annual budget:

- 1) Open Public Hearing ~ Mayor Gonzales. 8:05 p.m.
- 2) Open Discussion and Public Comments regarding adoption of the tentative budget as the final budget for Fiscal Year 2020/2021.

Mayor Gonzales asks if Town Clerk Norris or Town Manager Heatherly have received any public comments or concerns to be noted in the minutes. Both respond no. Councilmember Black asks if the proposed property tax increase is in the budget. Town Manager Heatherly states that yes it is, but if the proposed property tax increase does not pass you can spend less, but not more than budgeted for. Mayor Gonzales states he understands that we are struggling, but we are not the only municipality that is struggling.

- 3) Close Public Hearing ~ Mayor Gonzales. 8:10 p.m.

Recess the Regular Meeting and convene in a Special Meeting. 8:10 p.m.

1. Council discussion, motion and possible action to approve Resolution 1240 adopting the final budget for fiscal year 2020/2021 and setting an expenditure limitation to govern the Town of Miami budget for fiscal year 2020/2021.

Mayor Gonzales moved to approve Resolution 1240 adopting the final budget for fiscal year 2020/2021 and setting an expenditure limitation to govern the Town of Miami budget for fiscal year 2020/2021. Seconded by Councilmember Sosh. Mayor Gonzales calls for the vote. Vote – Mayor Gonzales – yea, Vice Mayor Moat – yea, Councilmember Black – nay, Councilmember Bringham – yea, Councilmember Medina – yea, Councilmember Reiman – yea and Councilmember Sosh - yea. MOTION PASSED.

Adjourn the Special Meeting and reconvene in the Regular Meeting. 8:11 p.m.

H. Information, discussion and possible action: To approve Town of Miami Policy for Use of Funds for Highway User Revenue Fund and Gila County Transportation Excise Tax.

Town Manager Heatherly is asking for Council's approval on this item. In the Auditor General's Office review they were looking for improvements in our internal controls. This one is just acknowledging that the use of HURF and the ½ cent Gila County Excise Tax will only be used for expenses related to road, maintenance, repair, upkeep etc. Mayor Gonzales asks what will happen if the Town does not abide by this policy. Town Manager Heatherly explains by State law you have to do it anyway whether it is a policy or not. If the policy is not followed the State will withhold funding. Councilmember Black asks what the Town of Miami does with the HURF funds. Town Manager Heatherly states mostly pay for lights, and then work that is done on the streets. Councilmember

Black states in other words most of it is used for street lights and salaries, none of it is actually used for streets. Town Manager Heatherly states that's kind of an unfair question because the Town has been working on the sewer project for the last 8 years, you're not going to be making repairs to the streets when you are going to be ripping them all up. Councilmember Black states the Town should at least be filling potholes. Discussion regarding the problem with filling in potholes. Councilmember Medina moved to approve Town of Miami Policy for Use of Funds for Highway User Revenue Fund and Gila County Transportation Excise Tax. Seconded by Councilmember Bringhurst. Mayor Gonzales calls for the vote. Vote – Mayor Gonzales – yea, Vice Mayor Moat – yea, Councilmember Black – yea, Councilmember Bringhurst – yea, Councilmember Medina – yea, Councilmember Reiman – yea and Councilmember Sosh - yea. MOTION PASSED.

- I. **Information, discussion and possible action:** Update and possible direction to staff regarding Town of Miami joining the Tri City Fire District for fire protection services.

Town Manager Heatherly explains that he has met with Nick Renon of Tri-City Fire to talk about this issue. It is still not final on what the number would be, but our tax rate is roughly 4.4% and Tri-City is looking at 2.9%. At that rate our taxes would be about \$180,000.00. At 2.9% we would be at maybe \$127,000.00. It has been discussed that whatever Tri-City increase the rate by, we would decrease the rate by so it would be a net 0 to the citizens. Over the past 5 years we have paid Tri-City about \$113,000.00 so on average our annual would be, ballpark \$25,000.00. Open discussion and comments regarding the cost of going in with Tri-City or just keeping it on a contract service basis. No action taken on this item.

- J. **Information, discussion and possible action:** To adopt a Notice of Intent to increase Commercial Garbage Rates and set September 14, 2020 as the date for a public hearing on the proposed increase pursuant to A.R.S. §9.511.01 and to direct the Town Clerk to post and publish the Notice as required by law.

Utility Coordinator, Tashiana Jerrols presents this item to Council explaining that the Town is requesting approval for a 12.9% increase to the commercial garbage rates. This increase request is due to the Gila County Landfill rate increase. Ms. Jerrols states that this should have been approved back in February of 2018 but was overlooked. Brief discussion regarding the number of commercial garbage accounts the Town has. Councilmember Reiman comments regarding delinquency and penalties. Councilmember Medina moved to adopt a Notice of Intent to increase Commercial Garbage Rates and set September 14, 2020 as the date for a public hearing on the proposed increase pursuant to A.R.S. §9.511.01 and to direct the Town Clerk to post and publish the Notice as required by law. Seconded by Councilmember Sosh. Mayor Gonzales calls for the vote. Vote – Mayor Gonzales – yea, Vice Mayor Moat – yea, Councilmember Black – nay, Councilmember Bringhurst – nay, Councilmember Medina – yea, Councilmember Reiman – nay and Councilmember Sosh - yea. MOTION PASSED.

- K. **Information and Discussion only:** Update on the Coronavirus-19, including discussion regarding the financial impact on the Town.

Town Manager Heatherly gives a brief Coronavirus update and Gila County cases update. There have been 27 positive cases in Miami. It is noted that some cases are reported positive in the Town of Miami but some of them are not actually within the Town of Miami due to the DMA mapping boundaries. Discussion regarding the numbers continuing to increase and mainly in the 19-44 age group. Open discussion and comments regarding the Coronavirus. Mayor Gonzales states that he has talked to Al Gameros, Mayor of City of Globe and they are having "mask up" banners made and wanted to know if Miami wanted a banner made as well. He is going to be getting back with Mayor Gonzales on the cost of the banner.

- L. Information, discussion and possible action:** Discussion and possible acceptance of State of Arizona AZCares Grant Agreement Number ERMT-20-059 in the amount of \$204,356.00.

Town Manager Heatherly states this comes from the Feds through the State of Arizona Governor's Office. The State is distributing a certain amount money to each municipality and it is per person in each city or town. It is the same amount per person so the amount given is determined by population. The fund will be subjected to a Federal and State audit as to what it will be spent on. Councilmember Black moved to accept State of Arizona AZCares Grant Agreement Number ERMT-20-059 in the amount of \$204,356.00. Seconded by Councilmember Black. Mayor Gonzales calls for the vote. Vote – Mayor Gonzales – yea, Vice Mayor Moat – yea, Councilmember Black – yea, Councilmember Bringhurst – yea, Councilmember Medina – yea, Councilmember Reiman – yea and Councilmember Sosh - yea. MOTION PASSED.

9. CALL TO THE COUNCIL:

Councilmember Medina comments regarding the importance people completing the Census and approval of home rule ballot measure question.

Councilmember Bringhurst comments on an issue with bees at the Bullion Plaza Museum, can the Town do something to take care of that.

Vice Mayor Moat comments on trash dumped up on Cherry Flats Road and asks who takes care of cleaning that up.

Councilmember Sosh comments that we need some fans in the Councilmember Chambers to circulate the air. Councilmember Sosh comments on the light board at Bullion Plaza, the time is incorrect.

Mayor Gonzales comments on the importance of Miami citizens completing the Census survey and the importance of the home rule ballot question. Gives thanks to Council for their time spent at tonight's meeting and he appreciates everyone's input.

10. ADJOURNMENT:

Councilmember Black moved to adjourn the meeting. Seconded by Councilmember Reiman. Mayor Gonzales calls for the vote. Vote – Mayor Gonzales – yea, Vice Mayor Moat – yea, Councilmember Black – yea, Councilmember Bringhurst – yea, Councilmember Medina – yea, Councilmember Reiman – yea and Councilmember Sosh - yea. MOTION PASSED.

Meeting adjourned at 8:49 p.m.

CERTIFICATION:

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Public Hearing and Regular meeting of the Town Council of the Town of Miami, AZ held on the **13th** day of **July**, 2020.


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

DATED this **27th** day of **July** 2020.



Karen Norris, Town Clerk

APPROVED:



Sammy Gonzales, Mayor