



MINUTES
TOWN OF MIAMI
REGULAR MEETING
OF THE MAYOR AND COUNCIL
MONDAY FEBRUARY 8 2021 AT 6 30 PM

1 CALL TO ORDER

In the absence of Mayor Gonzales Town Manager Gaudet calls the meeting to order at 6 30 p m

Councilmember Medina is assigned by Council to chair the meeting

2 PLEDGE OF ALLEGIANCE/INVOCATION

Councilmember Medina led the pledge of allegiance and the invocation

3 ROLL CALL OF COUNCIL MEMBERS

PRESENT Vice Mayor Moat (telephonically) Councilmember Black
Councilmember Licano Councilmember Medina Councilmember Reiman and
Councilmember Sosh

EXCUSED Mayor Gonzales

STAFF PRESENT Town Attorney Estes (via Zoom) Town Manager Gaudet
Finance Director Lopez Engineering Tech Derhammer and Town Clerk Norms

4 CONSENT AGENDA

- A** Consideration and possible action to approve Minutes January 25 2021 Regular Meeting
- B** Consideration and possible action to approve the Town Payroll for January 24 2021
- C** Consideration and possible action to approve Black History Month Proclamation

Councilmember Reiman comments regarding item C that there is a big to do about the black community wanting to revise history and tear down all the monuments and not deal with the history and we are supposed to support Black History Month It seems like a contradiction in the two philosophies He is not in favor of voting yea on this particular item Councilmember Medina reads the proclamation aloud Councilmember Black moved to approve the consent agenda except item C tabling item C to have Mayor Gonzales explain this to Council at the next meeting

Seconded by Councilmember Reiman Councilmember Medina calls for the vote Vote – Mayor Gonzales –excused Vice Mayor Moat – yea Councilmember Black – yea Councilmember Licano – 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 January 15 2021 to January 28 2021

Open discussion and comments regarding various demands paid Councilmember Reiman moved to approve the demands for January 15 2021 to January 28 2021 Seconded by Councilmember Black Councilmember Medina calls for the vote Vote – Mayor Gonzales – excused Vice Mayor Moat – yea Councilmember Black – yea Councilmember Licano – yea Councilmember Medina – yea Councilmember Reiman – yea and Councilmember Sosh yea MOTION PASSED

6 REPORTS / RECOGNITIONS

A Town Manager Reports

Town Manager Gaudet reports that Arizona Eastern Railroad has been over charging the Town for the utility easements on their property They will be sending the Town a reimbursement check for approximately \$1 400 00 that was overcharged Received the reimbursement funds from Pinal Gila for the Senior Center Reports that the funds the Town has been paying for the street lights will now be allocated towards the excise tax repayment We are now two months ahead of the tax repayment issue With the street light credit and portions of the public works salary allocations we should be done with that debt in about 5 months that puts us ahead of schedule on the pay off Reports that he has moved the Code Enforcement position back under the direction of the Police Department where it had been historically Public Works Director Tom Moreno is retiring and his last day will be February 19th Josh Derhammer will be assuming the Public Works Director duties Poppy Fest is coming up and there is a mural wall a couple doors down from the El Rey Restaurant and a local artist (Patty Sjojin) will be painting a mural in that area

B Mayor/Council Reports

Councilmember Medina comments regarding friends of his in the valley that have grapefruit and orange trees They brought back more fruit that they need and if anyone wants some let him know Comments on the amount of motorcycles side by sides and 4x4 s in Superior feels we should look into whatever event if any was going on so that we can possibly have a bigger event as we have more to offer

7 UNFINISHED BUSINESS

8 NEW BUSINESS

A Information discussion and possible action Possible approval of grant funds agreement between Resolution Copper Company and Town of Miami for the Alicia Garcia Senior Center

Mr Bryan Seppala of Resolution Copper Company gives a brief explanation of this item to Council This is a \$20 000 00 grant for the Alicia Garcia Senior Center and is part of the COVID Relief Package by Resolution Copper Company Councilmember Reiman asks for clarification of what this money can be used for Mr Seppala explains that the project is defined under Item 3 letter A – Resolution s intended support through the contribution is to provide funding in support of food boxes and home bound meals to vulnerable populations during COVID 19 pandemic as well as provide additional capacity to support programming during the pandemic Councilmember Reiman asks if the funding can be used for expenses already incurred Mr Seppala states yes provided there is a report provided on how the funds were used and receipts provided Brief discussion regarding the tax receipt and how to adjust the tax statement as given if all the funds are not used Discussion regarding the clause about getting pre approval from Resolution before any media releases Mr Seppala states that clause can be taken out and the Town is free to publish anywhere and anyway it would like Councilmember Black thanks Bryan and Resolution Copper it is appreciated Mr Seppala comments briefly on another funding project they did to the in the Miami community Councilmember Reiman moved to approve the contract agreement for grant funds agreement between Resolution Copper Company and Town of Miami for the Alicia Garcia Senior Center Seconded by Councilmember Black Councilmember Medina calls for the vote Vote – Mayor Gonzales – excused Vice Mayor Moat – yea Councilmember Black – yea Councilmember Licano – yea Councilmember Medina – yea Councilmember Reiman – yea and Councilmember Sosh yea MOTION PASSED

B Information discussion and possible action To approve contract agreement between Accelerated Construction and the Town of Miami for the Adonis Avenue and Rose Road Improvement Project – CDBG 135 20

Councilmember Black moved to approve the contract agreement between Accelerated Construction and the Town of Miami for the Adonis Avenue and Rose Road Improvement Project – CDBG 135 20 Seconded by Councilmember Sosh Councilmember Medina calls for the vote Vote – Mayor Gonzales – excused Vice Mayor Moat – yea Councilmember Black – yea Councilmember Licano – yea Councilmember Medina – yea Councilmember Reiman – yea and Councilmember Sosh yea MOTION PASSED

C Information discussion and possible action To approve Ordinance No 375 adopting the Recreational Marijuana Updates 2021 by reference amending the code of the Town of Miami Arizona Title 17 Zoning Chapter 17 04 Introductory Provisions and Definitions Section 17 04 030 Definitions Chapter 17 32 C Commercial District by amending Section 17 32 020 Use Regulations and adopting a new Section 17 32 070 Recreational Marijuana amending Chapter 17 36 L I Light Industrial District by adopting a new Section 17 36 060 Recreational Marijuana Facilities Regulations all related to the

regulation of recreational marijuana including setting forth definitions regulating marijuana establishments and marijuana testing facilities prohibiting marijuana on public property establishing regulations for personal use at an individual's primary residence imposing fees providing for repeal of conflicting ordinances providing for severability and providing for penalties as recommended by the Planning & Zoning Commission

Town Manager Gaudet presents this item to Council. This item went before the Planning and Zoning Commission and they made the recommendation that Council approve the proposed ordinance as written. Councilmember Black moved to approve Ordinance No. 375 adopting the Recreational Marijuana Updates 2021. Mr. Kent Berk of Berk Law Group comments regarding Council passing this Ordinance that it only provides for dual licenses and limits certain license holders from opening an establishment within the Town. Mr. Berk comments on his concerns with the Town limiting the recreational marijuana establishments. Mr. Berk comments on the limitations the Town is putting on establishments by allowing only dual licensing establishments. Does not feel it is proper and is closing the door on many marijuana establishments and the potential of bringing in tax revenue to the Town. Town Attorney Estes comments that State statute allows the Town to limit only dual licensing and has the option to restrict the licensing. Council has been advised on the options. Motion seconded by Councilmember Sosh. Councilmember Medina calls for the vote. Vote – Mayor Gonzales – excused Vice Mayor Moat – yea Councilmember Black – yea Councilmember Licano – yea Councilmember Medina – yea Councilmember Reiman – yea and Councilmember Sosh yea MOTION PASSED

D Information discussion and possible action To approve revised job descriptions for the following positions

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|--------------------------|--|
| Project Manager/Engineer | Public Works Supervisor |
| Courier | Wastewater Treatment Plant Operator I & II |
| Public Works Director | Maintenance Worker I & II |
| Code Enforcement Officer | Police Dispatcher |
| Police Officer | |

Town Manager Gaudet presents this item to Council explaining that the Town lacks officially approved job descriptions. Little by little he will be presenting job descriptions to Council for review and possible approval. Brief discussion regarding the Maintenance Worker I & II position and the requirement for a CDL driver's license. Councilmember Reiman questions the Public Works Director position not requiring a high school diploma or GED and the positions underneath that position are required to have one. Town Manager Gaudet states he will adjust that. Councilmember Reiman states there should be some form of education and supervisory experience for this position. Perhaps would like to say 5 years of experience equivalent to key functions of this position. Town Manager Gaudet states he will amend those 2 items on that job description. Councilmember Black moved to approve revised job descriptions with noted revisions. Seconded by Councilmember Sosh. Councilmember Medina calls for the vote. Vote – Mayor Gonzales – excused Vice Mayor Moat – yea Councilmember Black – yea Councilmember Licano – yea Councilmember Medina – yea Councilmember Reiman – yea and Councilmember Sosh yea MOTION PASSED

9 CALL TO THE COUNCIL

Councilmember Black informs Town Manager Gaudet that he is impressed with the Council Packets likes that all the documentation and backup is included in them Councilmember Black states that he has been hearing that the Town Manager has been doing an outstanding job for the Town and he is real happy about that

Councilmember Medina states he has been hearing good things from staff as well Councilmember Medina comments during his travels he has been seeing crazy stuff out there reminds everyone to be careful

10 ADJOURNMENT

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

Meeting adjourned at 7 22 p m

CERTIFICATION

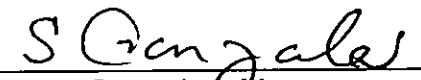
I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular meeting of the Town Council of the Town of Miami AZ held on the **8th** day of **February** 2021

I further certify that the meeting was duly called and that a quorum was present DATED this **22nd** day of **February** 2021



Karen Norris Town Clerk

APPROVED



Sammy Gonzales Mayor