



MINUTES

TOWN OF MIAMI

REGULAR MEETING OF THE MAYOR AND COUNCIL MONDAY, FEBRUARY 22, 2021 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 Licano, Councilmember Medina, Councilmember Reiman and Councilmember Sosh.

STAFF PRESENT: Town Attorney Estes (via Zoom), Town Manager Gaudet, Finance Director Lopez, Engineering Tech Derhammer and Town Clerk Norris.

4. CONSENT AGENDA:

- A. Consideration and possible action to approve Minutes February 8, 2021 Regular Meeting.
- B. Consideration and possible action to approve the Town Payroll for February 7, 2021.

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 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 29, 2021 to February 11, 2021.

Open discussion and comments regarding various demands paid. Councilmember Sosh moved to approve the demands for January 29, 2021 to February 11, 2021. Seconded by Councilmember Black. Mayor Gonzales calls for the vote. Vote – Mayor Gonzales – yea, 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 announces the Department of Economic Security has begun an Emergency Rental Program which provides financial support to those who are in need of rent and utility assistance; people may apply online at des.az.gov/erap. Announces that Gila County is now on Phase II of the vaccinations and the Town is offering free rides to and from vaccination sites through our Dial-a-Ride program. The Town will be setting up a computer station in the lobby for the public to use to make vaccination appointments; they may also call in to make an appointment.

B. Mayor/Council Reports.

Councilmember Medina announces that Governor Ducey has ordered flags to be put at half-staff for five days beginning February 23, 2021, to honor the thousands of lives lost across Arizona and the nation due to COVID-19. Councilmember Medina comments that his feelings has always been that this community has lost touch to the many contributions made here locally by well-known black families and their history. History like, as well as Bullion Plaza being expressly built for children of Mexican and Native American culture, there was a school for blacks of the community by the name of Central School. Councilmember Medina states to ask any old timer about Mr. Wiatt – better known as “Goldie”. Goldie was one of those named lovingly given to a member of an underground mining group. He was an American and well-liked by everyone, especially mine management. Living next door to Goldie was another American family that he only remembers the first name of this Spanish speaking black man as “Carlos”. There was also the Meadows family that contributed greatly to Miami. Cornelius Meadows was a member of the Phoenix 161 ARG Arizona National Guard as an aircraft crew chief. And presently, an exceptionally good friend of Councilmember Medina, Mr. Graham. They worked for years together as a team and he personally witnessed his struggle with racist treatment of the not so good kind. Gives many thanks to all these American families.

Vice Mayor Moat thanks Councilmember Medina for filling in and running the Council during his and Mayor Gonzales’s absence. Vice Mayor Moat states that he feels blessed and is glad to be here after his ordeal with COVID-19 and heart and lung problems. If anyone needs anything, he is available.

Mayor Gonzales thanks Councilmember Medina for filling in during his and Vice Mayor Moat’s absence. Thanks the Town of Miami for the use of Bullion Plaza Gym so that the junior high basketball teams could have basketball practice. Mayor Gonzales states that he has been in contact with the Cathy Canez Foundation and they are doing book library memorials in Cathy’s honor in Globe. He will be meeting with them tomorrow to pick a spot in Miami to place a memorial book library. They will maintain the book library and will bring books as well.

7. UNFINISHED BUSINESS:

A. Information, discussion and possible action: To approve Black History Month Proclamation.

Mayor Gonzales presents this item to Council explaining that as a history teacher he teaches Black History Month to his students and felt it was important for the community be educated about Black History Month. Mayor Gonzales explains that he did receive numerous emails and letters regarding the Black History Month Proclamation being tabled at the last meeting; two of which were asked to be read aloud at the Council meeting. Mayor Gonzales reads the 2 letters aloud; the two letters he read aloud are from Ms. Shelly Dalley Perry and Mr. Fred Barcon. Councilmember Medina states he would like to set the record straight in that Councilmember Reiman did not say what they said he said in the letters, it was his statement. Councilmember Sosh states that he is in favor of the proclamation and will vote yea on it. Brief discussion regarding Mayor's proclamations. Town Attorney Estes explains that they do not need approval of the Council, although many municipalities do it that way. The Mayor can bring it to Council every year as a "Mayor's Proclamation". Mayor Gonzales reads the Black History Month Proclamation aloud. Mayor Gonzales moved to approve Black History Month Proclamation. Seconded by Councilmember Medina. Vice Mayor Moat sincerely apologizes for tabling this proclamation and for offending anyone by that action. Vice Mayor Moat states he feels there was no biased meant from Council. Mayor Gonzales calls for the vote. Vote – Mayor Gonzales – yea, Vice Mayor Moat – yea, Councilmember Black – yea, Councilmember Licano – yea, Councilmember Medina – yea, Councilmember Reiman – yea and Councilmember Sosh - yea. MOTION PASSED.

8. NEW BUSINESS:

A. Information, discussion and possible action: To approve Resolution No. 1252, pertaining to the submission of projects for consideration in Arizona's Prop 207 Fund Grant.

Chief Thompson presents this item to Council explaining that there has been a change in the grant submission for this grant and requests that Council take no action as it was suggested that he put this item under a different grant application. No action taken by Council.

B. PUBLIC HEARING, DISCUSSION AND ACTION: To hold a public hearing and take possible action regarding Request for Appeal Hearing from Janna Danna, 729 W. Sullivan Street – 30 Day Notice of Violation – Abandoned Vehicles:

- a) Open Public Hearing ~ Mayor Gonzales. 7:03 p.m.
- b) Open Discussion and Public Comments regarding the appeal request from Janna Danna, 729 W. Sullivan Street – 30 Day Notice of Violation.

Mayor Gonzales asks if the Town Manager or Town Clerk received any written public comments on this item. Both state "no". Ms. Danna is present via Zoom to present her

appeal to Council. Ms. Danna gives a brief history on what took place originally with her appeal. She states that she was not given notice of the first hearing. She did not know that Council had addressed the appeal. She contacted the Town and was told that Council already address this issue so she feels her due process was violated. Ms. Danna states that the Town Clerk contacted her and informed her that some things were not done properly and she would need to file a second appeal. Ms. Danna comments on the property across the street in regards to if it had been cited as well; why was she cited and they were not. Ms. Danna states she did file the second appeal and comments again regarding the property across the street from her property and that it is listed as a residential property. Ms. Danna asks how her property is different from the property across the street. Ms. Danna states that she does not feel the classic cars are abandoned because Arizona Law and ADOT states that classic/historic cars stored or maintained on owner's private property do not qualify as abandoned. Gila County site also states it is not a violation.

c) Close Public Hearing ~ Mayor Gonzales. 7:09 p.m.

d) Council Discussion, Motion and Action.

Mayor Gonzales states that Council did schedule a hearing previously for this item but it was not handled properly so staff started over in order to follow the process correctly. Mayor Gonzales comments regarding the property across the street from Ms. Danna and informs Ms. Danna that Council cannot discuss that property and will only be discussing her property, 729 W. Sullivan Street. Council discusses the current Town Code as it pertains to "abandoned vehicles". Brief discussion regarding the zoning of the property. Councilmember Black asks what Ms. Danna is asking from Council; more time to sell the vehicles. Ms. Danna explains that she does not have time to sell the vehicles and it is impossible for her to come up to Miami now due to her husband's health issues. Town Attorney Estes explains that the Town Code, as it applies to abandoned vehicles applies the same for residential and commercial zoning. Ms. Danna states that in her opinion the vehicles are not abandoned. Town Attorney Estes states that the Town Code does apply here because the property is located within the Town limits. The issue here is what's in the Town Code as to what is identified/defined as an abandoned vehicle and the provisions for grounds for appeal. There are only 3 provisions as grounds for appeal. Councilmember Licano asks if the vehicles are currently registered with the State. Ms. Danna states that they were but may be expired because she has not been up in Miami in a while. Mayor Gonzales states that he knows 30 days is not enough time for her to sell these items but a possible solution would be for Ms. Danna to put up some possible fencing or garage to block them from public view. Town Attorney comments on the Town Code as it provides for fencing as long as it conceals them from public view. Ms. Danna states she don't know if she could do that within the 30 days but she suggests that she could cover the vehicles with car coverings. Brief discussion regarding car covers and that the Town Code does not provide for car covers. Brief discussion regarding what the Town Council can allow until such time she can become compliant. Councilmember Black moved to extend the time frame an additional 6 months. Brief discussion regarding what type of fence she would need to put up that would be compliant with the Town Code. Councilmember Black amends his motion to include – to include that the Town update the Town Code to allow for car covers. Seconded by

Councilmember Licano. Mayor Gonzales calls for the vote. Vote – Mayor Gonzales – yea, 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 agreement between Town of Miami and Good Creations, L.L.C. for Fund Development/Grant and Contract Offer Writing in order to procure contracts and funding and support of Town and Town Programs.

Town Manager Gaudet presents this item to Council explaining that the Town does not have anyone on staff trained to secure grants. Mr. Jon Luther of Good Creations, LLC will be making a presentation regarding his company and what they can do for the Town. Mr. Luther starts with letting Council know that he is professional grant writer. As grant writers for municipalities they learn about who you are, and your goals. They work as an extension of the agency to build capacity and help build pieces of the puzzle. Mr. Luther briefly outlines their steps to success. Mr. Luther comments on the turnaround time for writing and actually receiving grants. They would be submitting grants on behalf of the Town every month. They have the capacity to write grants at the local, regional and state level and write grants big and small. Mayor Gonzales states that a few months ago Councilmember Black and Town Clerk Norris met with another agency that write grants for municipalities, on a percentage base. Mayor Gonzales asks if the Town Manager researched or made contact with them. Town Manager Gaudet states yes, but this company is a small local based business and has experience working for small towns. Brief discussion regarding the fees associated with grant writing. Good Creations LLC is a flat fee service as opposed to receiving a portion of the grants for administering it; there is no fluctuation. Discussion and comments regarding if this is currently budgeted for. Town Manager Gaudet states no but can be written into the 2021/2022 budget. Discussion regarding the clause "plus expenses on a reimbursement basis". Mr. Luther explains that is more of a contractual artifact and they have not billed for expenses in over a decade. Discussion regarding if that clause can be removed from the contract agreement. Councilmember Reiman feels this may be a bit premature now but is open to looking into it for budgeting for the next fiscal year. Councilmember Reiman suggests direction to the Town Manager to keep this in the active file and when Council starts to work on the next fiscal year budget, it can be revisited. No action taken on this item.

D. Information, discussion and possible action: To approve Letter of Support for the Gila PROUD Project and contribution of one-time payment of \$2,000.00 to Gila County to help offset the costs associated with the project.

Town Manager Gaudet presents this item to Council explaining that Gila County is undergoing the beautification of Highway 60 and they have received a number of donations to help offset the operating costs. They will be hiring a landscaper and assistant landscaper to do the beautification of Highway 60. Companies such as BHP, Freeport, Cobre Valley Regional Medical Center and Capstone have all contributed funding toward this effort. The average dollar amount contributed is about \$10,000.00 and the annual operating cost is approximately \$87,000.00. They are looking to do this on an annual basis and continue this. Would like to be a part of this and show our support. The Town of Miami's contribution would be \$2,000.00 with

town staff available to assist and support the landscapers, when and where possible. Councilmember Sosh moved to approve the Letter of Support for the Gila PROUD Project and contribution of one-time payment of \$2,000.00 to Gila County to help offset the costs associated with the project. Seconded by Councilmember Black. Mayor Gonzales calls for the vote. Vote – Mayor Gonzales – yea, Vice Mayor Moat – yea, Councilmember Black – yea, Councilmember Licano – yea, Councilmember Medina – yea, Councilmember Reiman – yea and Councilmember Sosh - yea. MOTION PASSED.

Mayor Gonzales states for the record, he would like to apologize to Mr. Jon Luther of Good Creations LLC for not thanking him for his presentation before moving on to the next item.

E. Information, discussion and possible action: To enter into executive session pursuant to:

A.R.S. § 38-431.03(A)(4) for discussion or consultation with the Town Attorney in order to consider its position and instruct the Town Attorney regarding settlement discussions conducted in order to resolve the Town of Miami v. Kinkaid Civil Construction litigation.

Councilmember Black moved to enter into executive session pursuant to A.R.S. § 38-431.03(A)(4) for discussion or consultation with the Town Attorney in order to consider its position and instruct the Town Attorney regarding settlement discussions conducted in order to resolve the Town of Miami v. Kinkaid Civil Construction litigation. Seconded by Councilmember Medina. Mayor Gonzales calls for the vote. Vote – Mayor Gonzales – yea, Vice Mayor Moat – yea, Councilmember Black – yea, Councilmember Licano – yea, Councilmember Medina – yea, Councilmember Reiman – yea and Councilmember Sosh - yea. MOTION PASSED. 7:53 p.m.

Council reconvenes at 8:06 p.m. All members present.

9. CALL TO THE COUNCIL:

10. ADJOURNMENT:

Councilmember Black moved to adjourn the meeting. Seconded by Councilmember Medina. Mayor Gonzales calls for the vote. Vote – Mayor Gonzales – yea, 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 8:06 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 **22nd** day of **February**, 2021.

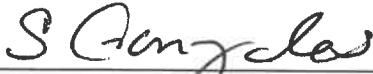
I further certify that the meeting was duly called and that a quorum was present.

DATED this **8th** day of **March**, 2021.



Karen Norris, Town Clerk

APPROVED:



Sammy Gonzales, Mayor