



MINUTES

TOWN OF MIAMI

REGULAR MEETING OF THE MAYOR AND COUNCIL MONDAY, MAY 24, 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, and Councilmember Reiman.

EXCUSED: Councilmember Sosh.

STAFF PRESENT: Town Attorney Estes, Town Manager Gaudet, Town Clerk Norris, Finance Director Lopez, and Public Works Director Derhammer.

4. CONSENT AGENDA:

- A. Consideration and possible action to approve Minutes May 10, 2021 Work Session and May 10, 2021 Regular Meeting.
- B. Consideration and possible action to approval of Town Payroll for May 16, 2021.

Mayor Gonzales notes a correction to the minutes of the May 10, 2021 regular meeting, Councilmember Medina gave the invocation at that meeting. 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 - excused. MOTION PASSED.

5. APPROVAL OF DEMANDS AND PRESENTATION OF BUDGET REPORTS:

- A. Consideration and possible action to approve the General Demands for April 30, 2021 to May 13, 2021.

Open discussion and comments regarding various demands paid. Councilmember Black moved to approve the demands for April 30, 2021 to May 13, 2021. 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 - excused. MOTION PASSED.

6. REPORTS / RECOGNITIONS:

A. Town Manager Reports.

Town Manager Gaudet comments regarding the efforts of the Public Works Department for cleaning up the streets and addressing a certain safety hazard. Finance Director, Maria Lopez has been doing a great job, working long hours to get the budget prepared. Community Services Director, Christine Duarte has been putting in extra hours to make sure paperwork is completed and overseeing the operations of the Senior Center. Comments on the great work that the library has been doing; been helping with a movie that highlights the great history of the Town of Miami. Announces that Town of Miami Police Sergeant, Christopher Bender has turned in his resignation.

B. Mayor/Council Reports.

Councilmember Medina comments on Peace Officers Memorial Day, flags were at half-staff from sunrise to sunset on Saturday, May 15, 2021 in honor of Peace Officers Memorial day Councilmember Medina comments regarding June 6, 1944 as being "D" day on which allied forces invaded northern France by means of beach landing in Normandy, liberating Europe from the hands of the Nazis. The end of WW II began 77 years ago and will be celebrated this year on Sunday the 6th of June 2021. Announces on Memorial Day, May 31st, 2021 at 3:00 p.m. TAPS will be played and observed by people around our nation and parts of the world. States if we cannot find someone to play TAPS for us at the Veterans Memorial Park, he will try to bring his audio equipment and do so.

Vice Mayor Moat comments (completely inaudible).

Mayor Gonzales welcomes the public back to the meetings. Welcomes back Councilmember Reiman, glad to see him back. Comments on talking with the local business owner that makes banjos. Encourages everyone to stop by and introduce themselves and visit his new business in town.

Councilmember Reiman comments on several businesses opening in the Town of Miami; seems to be some positive development happening.

Councilmember Licano comments on the business "Inspired by Time" moving to a new location on Highway 60.

7. **CALL TO THE PUBLIC:** None.

8. **UNFINISHED BUSINESS:**

9. **NEW BUSINESS:**

A. PUBLIC HEARING: To hold a Special Use Permit Public Hearing for property located at 246 S. Adonis Avenue. Property is zoned R-1 Single Residential Family Dwelling Unit. Special Use Permit is to park and occasionally live in an RV travel trailer on the property until such time they can build a home on such property:

- 1) Open Public Hearing ~ Mayor Gonzales. 5:47 p.m.
- 2) Open discussion and public comments regarding the proposed Special Use Permit.

Mr. Howard Gable, property owner, introduces himself to Council. Mr. Gable explains that when he purchased the property he was not aware that there would be zoning issues with it. When he purchased the property his plan was to clean it up and get all the utilities established and build a home on the property. His intention is to use the home as a place to stay when he comes up to go to the lake. Mr. Gable comments on some of the issues he has had and that he has had to change his plans a little bit. Mr. Gable explains the issue he is having with getting a "green sticker" for the power. He would like to put a site build or a manufactured home on the property but due to the high cost of lumber and steel he is not sure when he can afford to do that. Mr. Gable states that he has taken 17,000 lbs. of trash off that property.

Mr. Joe Sanchez, Miami resident, states that he is glad to see that Mr. Gable is here and wants to make improvements to the property. He has seen what he has done to it so far and is hoping Council will work with Mr. Gable so that he can continue making improvements to the property.

Mr. Gable states that he would like the permit to be granted so that he can get the power approved and bring his travel trailer to the property to live in while he is here working on the property.

Mayor Gonzales asks the Town Clerk and Town Manager if either of them have received any comments/statements regarding this property. Both state "no".

- 3) Close Public Hearing ~ Mayor Gonzales. 6:54 p.m.

B. Information, discussion and possible action: Discussion and possible action to approve Special Use Permit for property located at 246 S. Adonis Avenue. Property is zoned R-1 Single Residential Family Dwelling Unit. Special Use Permit is to park and occasionally live in an RV travel trailer on the property until such time they can build a home on such property.

Town Manager Gaudet presents this item to Council and requested that they set an ending date for the permit, if approved. Councilmember Black comments on the Special Use Permit that was granted for a property down the street from this one, he has no issues with approving the permit. Councilmember Black states that he would like to see the property cleaned up and reestablished. Councilmember Black states that he like to see this approved for a period of 1 year and if Mr. Gable needs more time he can come back before Council to request an extension. Vice Mayor Moat states that he has no problems with this either. Brief discussion regarding setting a time limit. Councilmember Reiman moved to approve the Special Use Permit for property located at 246 S. Adonis Avenue for a period of 1 year and the right to apply for an extension if necessary. Seconded by Councilmember Black. Mayor Gonzales comments regarding speaking with Mr. Gable regarding his plans for the property and feels it will beautify the neighborhood. Brief discussion regarding the drill holes in the property; Mr. Gable explains what he did to repair them. 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 - excused. MOTION PASSED.

C. Information, discussion and possible action: Appointment of Accounts Payable/Payroll Clerk, Maricruz Perez, to the Public Safety Personnel Retirement System (PSPRS) Board, term to expire 2025.

Town Clerk Norris presents this item to Council and explains that she needs to have one more voting member appointed to the Board. Brief discussion regarding appointments to the PSPRS Board. Mayor Gonzales moved to appoint Accounts Payable/Payroll Clerk, Maricruz Perez, to the Public Safety Personnel Retirement System (PSPRS) Board, term to expire 2025. 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 - excused. MOTION PASSED.

D. Information, discussion and possible action: Discussion and possible action to appoint Patricia Bringhurst to the Planning & Zoning Commission to complete the term of Delvan Hayward; term to expire May 2022.

Town Clerk Norris presents this item to Council. Councilmember Black moved to appoint Patricia Bringhurst to the Planning & Zoning Commission to complete the term of Delvan Hayward; term to expire May 2022. 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 - excused. MOTION PASSED.

E. Information, discussion and possible action: To approve updated Utility Services Coordinator job description and approval of changing the position from exempt to non-exempt.

Town Manager Gaudet presents this item to Council explaining that he is requesting to update this job description and also change it to a non-exempt classification as there is no supervision of employees exercised. Also, requesting to remove the educational degree requirement and put emphasis on experience and ability to substitute education for experience year for year. Mayor Gonzales feels this is a good change to this job description, requiring a degree for that position is a bit "overkill". Mayor Gonzales feels this is a position that someone can learn and grow in and in his opinion it is a position that does not require a degree. Councilmember Black moved to approve the updated Utility Services Coordinator job description and approval of changing the position from exempt to non-exempt. Seconded by Councilmember Medina. Councilmember Reiman questions why this was an exempt position in the first place. Town Manager Gaudet states that he does not know why. Brief discussion regarding supervisory aspect of this position and there is no supervisory duties exercised. Councilmember Reiman states that he is concerned because he does not want to see this position downgraded. Brief discussion regarding the education requirements concerns. 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 - excused. MOTION PASSED.

F. Information, discussion and possible action: Discussion and possible direction to staff regarding acquiring buildings involved in the Sullivan Street fire.

Town Manager Gaudet presents this item to Council and briefly reviews the Town's options regarding the buildings and looking for direction as how to move forward. Town Manager Gaudet reviews the bid prices for the cleanup of all three buildings. The pricing was quoted in November so may be a bit higher now due to the rising cost of materials. Town Manager Gaudet explains the considerations to keep in mind while moving forward with this project is that ownership of the buildings by a government or non-profit is necessary to apply for ADEQ or EPA grant and ADEQ recommends applying for Brownfields Grant for each individual property. Staffs first recommendation is to obtain accurate quotes for each individual property. Reach out to the County to see if we can get some support from them and then move forward with acquiring property at no cost to the Town. May also want to consider what the Town would like to do with the properties. Open discussion and comments regarding acquiring the buildings from the property owners and if not it will be at the property owner expense to clean the property. Discussion regarding ADEQ recommending applying for the grants individually to maximize the grant dollar amount. Discussion regarding exactly which 3 buildings are being discussed. There are 2 on Sullivan Street and one on Keystone. The building on the corner of Keystone and Sullivan is not included in this discussion. Discussion regarding where we are with discussion with the owners in regards to giving the property to the Town. Public Works Director, Josh Derhammer explains that 2 of the 3 owners have expressed interest in turning the buildings over to the Town. Councilmember Black states we should work with the 2 owners to obtain the buildings and give the 3rd owner a timeline to get the building abated. Councilmember Reiman comments regarding his concerns as to what the Town is going to do when we get the properties, why take on the liabilities; it is a bit of a dilemma. Brief comments regarding the current safety of the buildings as they currently are. Brief discussion regarding having staff seek developers before moving forward with obtaining the buildings. Brief discussion regarding the property tax of the buildings. Councilmember Licano asks if we are

under any deadlines to acquire these properties. Town Manager Gaudet states “no”. Councilmember Black comments regarding the area being in a flood zone area. Discussion and comments regarding how the Town residents feel about it, would like to hear what they think about it. Councilmember Medina moved to table and bring back with more information. Town Manager Gaudet clarifies that the requirement from ADEQ/EPA is ownership of the buildings before the grant application is submitted. Mayor Gonzales states that if Council is going to table this item, he would like to have an exit plan of what the Town is going to do with the properties. Councilmember Black would like a firm yes or no from the property owners as to if they are going to give the property to the Town and he would like a fence to block off the area for safety reasons. Brief discussion regarding development of the properties. Town Manager Gaudet comments regarding the development side of this issue, it is quite a ways out with the acquisition of the properties, obtaining the grant funds etc. so when they present to Council it will be a picture of what could be done and not promised, it is too early at this point. Councilmember Medina would like to see the exact identification of the buildings; names, addresses and pictures. Motion 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 - excused. MOTION PASSED.

G. Information, discussion and possible action: Review and possible award of Request for Proposals (RFP) for Grant Writing Services.

Town Manager Gaudet presents this item to Council explaining that the Town put out requests for proposals for grant writing services. We received 2 proposals, one from Good Creations LLC with an annual fee of \$21,600.00 with monthly installments of \$1,800.00. The second proposal from Wilson and Company with a billing rate schedule of High (Sr. VP) \$340.00 per hour: Low (Intern) \$48.00 per hour: grant research assistance \$54.00 per hour and Project Manager \$125.00 per hour. Mayor Gonzales comments regarding the need for “cash on hand”, grants that are paid 100% are probably not something the Town would get. If the Town goes with Good Creations we are paying \$1,800 per month to go after grants we may not have money to go after. Brief discussion regarding grant writers being paid an administrative fee out of the grant funds. Councilmember Reiman states he feels this is premature unless we have specific things we need to apply for grants for. Also comments on grants that pay 100%, most of the time they require you to pay the money up front and then reimburse you. Councilmember Black feels this isn’t something the Town can work with now, but if the Town Manager can build the reserve funds then Council can revisit this and consider it. Town Manager Gaudet comments on the importance of having grant writing/writer guide the Town through the grant process, especially now so we don’t miss out on funding. Councilmember Licano feels this is something the Town should revisit in the future. Councilmember Licano moved to revisit this item in 9 months. 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 - excused. MOTION PASSED.

H. Information, discussion and possible action: To approve Ordinance No. 382, amending the Code of Miami Recreational Marijuana Ordinance, Chapter 17.04 Section

17.04.030 Definitions and Chapter 17.32 Section 17.32.070 Recreational Marijuana Establishments and Testing Facilities by deleting reference to dual licenses.

Town Manager Gaudet presents this item to Council explaining that the Town has had numerous applicants who questioned the Town's ordinance restricting Recreational Marijuana to Dual Licensee's only. One applicant that was awarded a license was interested in putting his business in the Town of Miami but could not due to the Dual Licensing restriction. If Council approves to remove the Dual License restriction it would open it up for other license holders to bring their business to the Town. Mayor Gonzales states that the Planning and Zoning Commission did meet regarding this matter and are recommending approval of this change. Brief discussion regarding distance restrictions to public and private parks; that would change from 500 feet to 0 feet. Councilmember Medina states that he does not approve of this culture but moves to approve Ordinance No. 382, amending the Code of Miami Recreational Marijuana Ordinance, Chapter 17.04 Section 17.04.030 Definitions and Chapter 17.32 Section 17.32.070 Recreational Marijuana Establishments and Testing Facilities by deleting reference to dual licenses. Seconded by Councilmember Black. Brief discussion as to why Council approved the Dual Licenses only in the first place. Discussion and comments regarding the Socially Disadvantage Licenses. 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 - excused. MOTION PASSED.

I. Information and discussion only: Discussion regarding Town of Miami FY 2021/2022 budget.

Town Manager Guadet reviews the proposed dates/timeline for the 2021/2022 budget process. Town Manger Gaudet comments that it does not look like raising the property tax rates to the maximum amount will make a significant difference in our revenue projections. Staff moved forward with posting the notice of property tax rate increase due to the specific time restraints but now looking at the number he is recommending to not raise those property tax levies. Town Manager Guadet briefly reviews the budget year to date revenues and expenditures. With the Care Act Funds and pool donations, we are barely ahead. If you take out either one of those funds we will be left with a deficit. Town Manager Gaudet explains that the general fund for next year, without the pool donations, are projected to be less than expenditures in FY 2022. Brief discussion regarding the reserve fund. Right now we are good but going to have to be conservative on the budget over the next few years. Brief discussion regarding setting upcoming budget worksession dates and times.

10. CALL TO THE COUNCIL:

Councilmember Medina announces that the Vietnam Veterans Memorial Moving Wall will be in Thatcher on Thursday, June 10th through Monday, June 14th.

Mayor Gonzales announces that Thursday is the last day for Miami schools, be careful as more kids will be out and about.

11. 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 - excused. MOTION PASSED.

Meeting adjourned at 8:25 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 **24th** day of **May**, 2021.

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

DATED this **14th** day of **June**, 2021.



Karen Norris, Town Clerk

APPROVED:



Sammy Gonzales, Mayor