



MINUTES
TOWN OF MIAMI
REGULAR MEETING
OF THE MAYOR AND COUNCIL
MONDAY, NOVEMBER 8, 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, Town Manager Gaudet, Town Clerk Norris, Public Works Director Josh Derhammer and Finance Director Lopez.

4. CONSENT AGENDA:

- A. Consideration and possible action to approve Minutes of October 25, 2021 Regular Meeting.
- B. Consideration and possible action to approve Town of Miami Payroll for October 17, 2021.
- C. Consideration and possible action to approve Miami Copper Cities Rotary Club 100 Years of Service to the Community Proclamation.

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

5. APPROVAL OF DEMANDS AND PRESENTATION OF BUDGET REPORTS:

- A. Consideration and possible action to approve the General Demands for October 15, 2021 to October 28, 2021.

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

6. REPORTS / RECOGNITIONS:

A. Town Manager Reports.

Town Manager Gaudet reports staff has met to begin the performance evaluation process. Reports on the Halloween Trunk or Treat event. Comments that he would like to close early the day before Thanksgiving for a staff and Council luncheon at the Senior Center, if Council has any concerns to please contact him to discuss. Reviews the monthly departmental highlights.

B. Mayor/Council Reports.

Councilmember Medina gives a brief update on the planning for the upcoming Veterans Day Ceremony. Comments on meeting with Arizona Legislator Carter and was very embarrassed by the lack of representation of the local leaders; asks for Council to communicate a formal apology letter.

Mayor Gonzales gives a brief report of the Miami Halloween Trunk or Treat event he attended and thanks staff for their hard work on this event. Reports on the rising COVID numbers.

7. CALL TO THE PUBLIC:

Mr. Ray Webb, Miami resident, comments that his Boy Scout troop is in attendance at this meeting in order to earn their Community Citizenship badge. Mr. Webb gives thanks to the Public Works Department for their work cleaning up the stairs around town, would like to see more of them clean up and clear up. Comments regarding debris from the flood still throughout town, would like to see that cleaned up as well.

Mr. Lee Kanard of Dominion Firearms, comments regarding donating a firearm as a raffle item to raise funds. Mr. Frank Dalmolin won the firearm and donated it back to be raffled again to assist Town of Miami with advertising/economic funds. With that raffle they raised \$1,400.00 and presents the Town with a check.

Mr. Tim Ralston, Pinto Valley Mine, is present to share good news, Pinto Valley Mine did receive approval of their Plan of Operations. They have been working on this for the past 5 years and this will add an additional 19 years of mine life to the Pinto Valley Mine. Mr. Ralston gives thanks to the Town of Miami for their support.

8. UNFINISHED BUSINESS:

- A. Information, discussion and possible action:** Possible approval of Intergovernmental Agreement (IGA) No. 101221 between Gila County and Town of Miami for Law Enforcement Dispatch Services.

Councilmember Reiman calls for Point of Order and asks the Town Attorney why this item is allowed to be brought back before Council when it was voted to deny this item at the last meeting. Town Attorney Estes states that there is an exception to the rule and that is a "motion for reconsideration". The Town Council follows Roberts Rules of Order and the Town Council Rules and Procedures Policy. Town Council Rules and Procedures Section 8.4 provides for Reconsideration, which is very similar to rules for Reconsideration in Robert's Rules with a minor change adopted by Council. Town Attorney Estes explains that motions for reconsideration are very limited and explains time limitations and who can raise a motion for reconsideration. A motion for reconsideration can only be brought by a member of the body that voted on the prevailing side of whatever that motion was. Town Attorney Estes explains as to why this item is listed as Old Business on the agenda; to meet requirements for notice and publication for the meeting. Town Attorney Estes explains that the way the process works is that there will be a motion for reconsideration, if the majority votes to reconsider that item then they move to the next step. The next item would be to consider if the item will be discussed at the next regular meeting or this meeting. In order to suspend moving the item to the next meeting and discuss at this meeting it will have to be voted on and approved by a 3/4 majority vote. Town Attorney Estes explains that if the item is reconsidered and voted down again then it cannot be brought back before Council without a unanimous consent of the Council.

Councilmember Black moved to reconsider possible approval of Intergovernmental Agreement (IGA) No. 101221 between Gila County and Town of Miami for Law Enforcement Dispatch Services. Seconded by Councilmember Sosh. Mayor Gonzales calls for the vote. Vote – Mayor Gonzales – aye, Vice Mayor Moat – aye, Councilmember Black – aye, Councilmember Licano – nay, Councilmember Medina – nay, Councilmember Reiman – nay and Councilmember Sosh - aye. MOTION PASSED. Councilmember Black moved to suspend the rule to place the item on the next agenda and allow the item to be heard tonight. Motion seconded by Councilmember Sosh. This vote will require a 3/4 vote – if not it will be brought back at the next meeting. Mayor Gonzales calls for the vote. Vote – Mayor Gonzales – aye, Vice Mayor Moat – aye, Councilmember Black – aye, Councilmember Licano – nay, Councilmember Medina – nay, Councilmember Reiman – nay and Councilmember Sosh - aye. Did not get a 3/4 vote of the Council – this item will be placed on the next Council meeting agenda.

9. NEW BUSINESS:

- A. Information, discussion and possible action:** To appoint Nicole Royer to complete the term of Patricia Bringham on the Planning and Zoning Board, term to expire May 2022.

Town Manager Guadet presents this item to Council for consideration. Mrs. Nicole Royer is present. Brief discussion with Mrs. Royer. Councilmember Sosh moved to appoint Nicole Royer to complete the term of Patricia Bringhurst on the Planning and Zoning Board, term to expire May 2022. Motion seconded by Councilmember Reiman. Mayor Gonzales calls for the vote. Vote – Mayor Gonzales – aye, Vice Mayor Moat – aye, Councilmember Black – aye, Councilmember Licano – aye, Councilmember Medina – aye, Councilmember Reiman – aye and Councilmember Sosh - aye. MOTION PASSED.

B. Information, discussion and possible action: Approval to enter into a purchasing agreement with 1Government Procurement Alliance (1GPA) to purchase goods and services from local and national vendors.

Town Manager Gaudet presents this item to Council explaining this is a no cost, no obligation agreement with the Town. This purchasing agreement will speed up purchasing via state contracts which are competitively bid out. Councilmember Medina moved to approve to enter into a purchasing agreement with 1Government Procurement Alliance (1GPA) to purchase goods and services from local and national vendors. Motion seconded by Vice Mayor Moat. Mayor Gonzales calls for the vote. Vote – Mayor Gonzales – aye, Vice Mayor Moat – aye, Councilmember Black – aye, Councilmember Licano – aye, Councilmember Medina – aye, Councilmember Reiman – aye and Councilmember Sosh - aye. MOTION PASSED.

C. Information, discussion and possible action: To approve Resolution No. 1262 designating an applicant agent and an alternate point of contact for the Hazard Mitigation Program with respect to post-fire flooding as a result of the Telegraph Fire.

Town Manager Guadet presents this item to Council explaining that this is a housekeeping type item requested by DEMA to update the Town's Point of Contact information for the flooding incident. Councilmember Sosh moved to approve Resolution No. 1262 designating an applicant agent and an alternate point of contact for the Hazard Mitigation Program with respect to post-fire flooding as a result of the Telegraph Fire. Motion seconded by Councilmember Medina. Mayor Gonzales calls for the vote. Vote – Mayor Gonzales – aye, Vice Mayor Moat – aye, Councilmember Black – aye, Councilmember Licano – aye, Councilmember Medina – aye, Councilmember Reiman – aye and Councilmember Sosh - aye. MOTION PASSED.

D. Information, discussion and possible action: To approve Ordinance No. 383 amending the Code of Miami, Title 8 Health and Safety, by amending Chapter 8.08 Garbage and Trash Collection and Disposal – Section 8.08.070 Placement of Garbage and Trash for Collection by the Town and adding New Section 8.08.095 Dumpsters. Correcting Section 8.08.090 Exemptions to Section 8.08.100 Exemptions.

Town Manager Guadet presents this item to Council explaining that this ordinance will amend Town Code Section 8.08.070 to ensure that refuse containers be removed from curb or alley no later than 24 hours after collection day and to add Section 8.08.095 regulation for dumpsters. Brief discussion regarding the penalties for violation. Town Manager Guadet explains that he did not make any changes to the current penalties. Brief discussion regarding who will enforce

this. Town Manager Guadet explains that the Police Department will enforce the rules. Councilmember Black moved to approve Ordinance No. 383 amending the Code of Miami, Title 8 Health and Safety, by amending Chapter 8.08 Garbage and Trash Collection and Disposal – Section 8.08.070 Placement of Garbage and Trash for Collection by the Town and adding New Section 8.08.095 Dumpsters. Correcting Section 8.08.090 Exemptions to Section 8.08.100 Exemptions. Motion seconded by Councilmember Medina. Mayor Gonzales calls for a roll call vote. Vote – Mayor Gonzales – aye, Vice Mayor Moat – aye, Councilmember Black – aye, Councilmember Licano – aye, Councilmember Medina – aye, Councilmember Reiman – aye and Councilmember Sosh - aye. MOTION PASSED.

- E. Information, discussion and possible action:** To approve Resolution No. 1263 declaring as public record that certain document filed with the Town Clerk and entitled “1997 Uniform Code for the Abatement of Dangerous Buildings”, and declaring an emergency.

Town Manager Gaudet presents this resolution to Council. This resolution declares the proposed document as a public record and allows the Town to not have to publish the ordinance if approved. It is explained that “declaring an emergency” follows the wording in the proposed ordinance which allows the ordinance, if passed, to become effective immediately. Councilmember Black moved to approve Resolution No. 1263 declaring as public record that certain document filed with the Town Clerk and entitled “1997 Uniform Code for the Abatement of Dangerous Buildings”, and declaring an emergency. Motion seconded by Councilmember Sosh. Mayor Gonzales calls for the vote. Vote – Mayor Gonzales – aye, Vice Mayor Moat – aye, Councilmember Black – aye, Councilmember Licano – aye, Councilmember Medina – aye, Councilmember Reiman – aye and Councilmember Sosh - aye. MOTION PASSED.

- F. Information, discussion and possible action:** To approve Ordinance No. 384 adopting by reference that certain document entitle “1997 Uniform Code for the Abatement of Dangerous Buildings”; providing for a Board of Appeals; providing for penalties; providing for repeal of conflicting ordinances; providing for severability, and declaring an emergency.

Town Manager Guadet presents this ordinance to Council explaining that currently the Town is using the 1976 Edition of the code and no copies of the 1976 Edition is to be found. This ordinance will update to the 1997 Uniform Code for the Abatement of Dangerous Buildings. Councilmember Sosh moved to approve Ordinance No. 384 adopting by reference that certain document entitle “1997 Uniform Code for the Abatement of Dangerous Buildings”; providing for a Board of Appeals; providing for penalties; providing for repeal of conflicting ordinances; providing for severability, and declaring an emergency. Motion seconded by Councilmember Medina. Mayor Gonzales calls for a roll call vote. Vote – Mayor Gonzales – aye, Vice Mayor Moat – aye, Councilmember Black – aye, Councilmember Licano – aye, Councilmember Medina – aye, Councilmember Reiman – nay and Councilmember Sosh - aye. MOTION PASSED.

10. CALL TO THE COUNCIL:

Councilmember Medina thanks the public for attending to the meeting.

11. ADJOURNMENT:

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

Meeting adjourned at 7:38 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 **November**, 2021.

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

DATED this 22nd day of **November**, 2021.



Karen Norris, Town Clerk

APPROVED:



Sammy Gonzales, Mayor