



MINUTES
TOWN OF MIAMI
REGULAR MEETING
OF THE MAYOR AND COUNCIL
MONDAY, APRIL 25, 2022 AT 6:30 PM

1. CALL TO ORDER:

Vice Mayor Moat calls the meeting to order at 6:31 p.m.

2. PLEDGE OF ALLEGIANCE/INVOCATION:

Vice Mayor Moat led the pledge of allegiance and Councilmember Medina gave the invocation.

3. ROLL CALL OF COUNCIL MEMBERS:

PRESENT: Vice Mayor Moat, Councilmember Black, Councilmember Licano, Councilmember Medina and Councilmember Sosh.

EXCUSED: Mayor Gonzales and Councilmember Reiman.

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

4. CONSENT AGENDA:

- A. Consideration and possible action to approve Minutes of April 11, 2022 Regular Meeting.
- B. Consideration and possible action to approve Town of Miami Payroll for April 17, 2022.
- C. Consideration and possible action to approve Pinal Gila Community Child Services lease amendment #650-017-B.
- D. Consideration and possible action to approve Intergovernmental Agreement (IGA) with Gila County for election drop boxes.
- E. Consideration and possible action to approve Armed Forces Appreciation Day Proclamation (May 21, 2022).
- F. Consideration and possible action to approve 53rd Annual Municipal Clerks Week Proclamation (May 1, 2022 – May 7, 2022).

Councilmember Black moved to approve the consent agenda. Motion seconded by Councilmember Medina. Vice Mayor Moat reads aloud the Armed Forces Appreciation Day Proclamation and the 53rd Annual Municipal Clerks Week Proclamation. Vice Mayor Moat calls for the vote. Vote – Mayor Gonzales – excused, Vice Mayor Moat – aye, Councilmember Black

– aye, Councilmember Licano – aye, Councilmember Medina – aye, Councilmember Reiman – excused 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 April 1, 2022 to April 14, 2022.

Councilmember Black moved to approve the demands for April 1, 2022 to April 14, 2022. Motion seconded by Councilmember Medina. Vice Mayor Moat calls for the vote. Vote – Mayor Gonzales – excused, Vice Mayor Moat – aye, Councilmember Black – aye, Councilmember Licano – aye, Councilmember Medina – aye, Councilmember Reiman – excused and Councilmember Sosh - aye. MOTION PASSED.

6. REPORTS / RECOGNITIONS:

- A.** Town Manager Reports.

Town Manager Gaudet explains that he has been very busy working on preparing the budget and does not have a report for Council at this time.

- B.** Mayor/Council Reports.

Councilmember Medina gives the flag half-staff report. Reports on radio show that he and Town Manager Gaudet was on regarding the swimming pool. Review of upcoming events.

- 7. CALL TO THE PUBLIC:** No response.

- 8. UNFINISHED BUSINESS:**

- 9. NEW BUSINESS:**

- A. Information discussion and possible action:** Presentation and possible acceptance of fiscal year 2019/2020 audit report.

Mr. Matt Bingham with Colby and Powell, PLC (via Zoom) presents the 2019/2020 audit report to Council. Mr. Bingham explain how they do the audit and comments on GAAP (General Accepted Accounting Principles), internal controls and the Greenbook requirement to document internal controls. Mr. Bingham briefly reviews the audit findings. Mr. Bingham comments on the continual PSPRS (Public Safety Personnel Retirement System) increases. Comments on the Town's net position and reviews the three categories. Mr. Bingham advises that the Town needs to raise its costs for services in order to cover its actual operating costs. Councilmember Black moved to accept fiscal year 2019/2020 audit report. Motion seconded by Councilmember Licano. Vice Mayor Moat calls for the vote. Vote – Mayor Gonzales – excused, Vice Mayor

Moat – aye, Councilmember Black – aye, Councilmember Licano – aye, Councilmember Medina – aye, Councilmember Reiman – excused and Councilmember Sosh - aye. MOTION PASSED.

B. Information, discussion and possible action: To give approval to the Town Manager to waive building permit fees for Town of Miami residents affected by the flooding.

Councilmember Black states that he is going to recuse himself from this item as he is related to someone who is affected by the flooding and he is doing the repairs to their home. Mr. Black states that he is asking Council to consider approving waiving the permit fees because he feels, as a Town, we should help the residents who are making repairs to their homes due to the flood damage. Town Manager Gaudet suggests setting a time frame for how long the Town will waive the fees, as well as cross checking with DEMA to maintain internal control that they have in fact been impacted by the flooding. Mr. Black states he would like to suggest Council give them until the end of this year. Councilmember Sosh suggests specifying “waiving fees for flood damage repairs only”. Councilmember Medina moved to give approval to the Town Manager to waive building permit fees for the Town of Miami residents affected by the flooding until the end of the year focused on repairs and not new additions, repairs to flood damages. Motion seconded by Councilmember Sosh. Vice Mayor Moat calls for the vote. Vote – Mayor Gonzales – excused, Vice Mayor Moat – aye, Councilmember Black – recuse, Councilmember Licano – aye, Councilmember Medina – aye, Councilmember Reiman – excused and Councilmember Sosh - aye. MOTION PASSED.

C. Information, discussion and possible action: To approve use of Miami Veterans Park, including restrooms, electric and water as well as the closure of Sullivan Street for a 4th of July Parade, proposed route is Reppy Avenue east up Sullivan Street to Miami Avenue; 7:30 a.m. to 11:00 a.m. with the Town to provide traffic control and barricades as deemed necessary by the Miami Police Department.

Mr. Jesse Bryant is present to present this request to Council. Mr. Bryant states that Miami has been a gracious host for this event in the past and they would like to continue the event in Miami. Mr. Bryant comments on the event planning for the weekend up through Monday the 4th of July. Open discussion and comments regarding staging and the parade route. Councilmember Medina moved to approve use of Miami Veterans Park, including restrooms, electric and water as well as the closure of Sullivan Street for a 4th of July Parade, proposed route is Reppy Avenue east up Sullivan Street to Miami Avenue; 7:30 a.m. to 11:00 a.m. with the Town to provide traffic control and barricades as deemed necessary by the Miami Police Department, with staging at Bullion Plaza. Motion seconded by Councilmember Sosh. Vice Mayor Moat calls for the vote. Vote – Mayor Gonzales – excused, Vice Mayor Moat – aye, Councilmember Black – aye, Councilmember Licano – aye, Councilmember Medina – aye, Councilmember Reiman – excused and Councilmember Sosh - aye. MOTION PASSED.

D. Information, discussion and possible action: Possible approval of refund in the amount of \$95,000.00 to anonymous pool donor.

Town Manager Gaudet presents this item to Council explaining that there is a letter from the anonymous donor in the Council packets requesting a \$95,000.00 refund of his donation to the pool. The remaining balance of his donation, \$37,125.00 to be used for a skatepark instead. Councilmember Medina explains that when he and Town Manager Gaudet were doing the radio show they had 8 callers call in and all of them voiced that they would like to keep the swimming pool. Councilmember Black asks what happens if the Town decides to keep the pool? That pool means a lot to the residents of Miami, it was built by the miners. The pool is a big thing in this town. Town Attorney Estes explains that the donation was given to the Town for a specific purpose and a specific time period.

Vice Mayor Moat moves that without objection Council moves to Item E and then return to this item.

Councilmember Sosh states he wants to deny this request but asks Town Manager Gaudet to have a conversation with the donor to let him know that the Town is still considering the pool and would like to use the \$95,000.00 for the pool. Town Manager Gaudet states he would definitely have a conversation with the donor regarding this request. Councilmember Sosh moved to table this item, Item D. Motion seconded by Councilmember Black. Vice Mayor Moat calls for the vote. Vote – Mayor Gonzales – excused, Vice Mayor Moat – aye, Councilmember Black – aye, Councilmember Licano – aye, Councilmember Medina – aye, Councilmember Reiman – excused and Councilmember Sosh - aye. MOTION PASSED – ITEM TABLED.

E. Information, discussion and possible action: Possible action regarding the future of the Miami Hostetler Pool/Skatepark.

Town Manager Gaudet comments that over the last week the Town has received a half a dozen or so calls for the Town to build the skatepark. While on the radio show they had 8 calls in favor of the pool. Town Manager Gaudet reviews the costs for the pool. Town Manager Gaudet reviews the breakdown of the numbers in terms of the cost of the swimming pool. The operating cost for the pool was \$75,000 in the past, given inflation that number will be higher. The skatepark operating cost will be \$2,000.00. The re-build/build cost for the pool as quoted by Shasta Pools was \$218,200.00. The build cost for the skatepark is \$100,000.00. Town Manager Gaudet reviews of the revenues for the pool. We have \$132,000.00 donation for the pool which does not include the subtraction of the return of funds to the donor. We normally budget \$75,000.00 for operation of the pool. This is not currently in the proposed budget because staff was waiting to see what Council wanted to do with the pool. The amount that needs to be raised to build the poos will be \$181,000.00. For the skatepark we have the \$37,000.00 donation from the anonymous doner, we also have a donation from BHP for \$50,000.00. Freeport has indicated that they would like to donate to the skatepark as well. The build cost for the skatepark will be just under \$15,000.00. Town Manager Gaudet explains that in terms of repair to the pool, it might be simple but it is risky so it is not recommended, is

to excavate the middle of the pool, reseal it, put in new sand filters, pump, chlorinator, replace the pipe and do some soil samples. That is estimated to cost \$51,600.00. Open discussion and comments regarding the impacts the pool will have on the Town's budget and the projected decrease in revenue in the next budget cycle. Discussion regarding the Town's liability in regards to a skatepark and the pool. Open discussion and comments regarding the sentimental connection the community has with the pool. Town Manager Gaudet states that he is confident the Town can raise the funds to build the pool, the thing Council needs to consider is the ongoing operational costs of the pool. Town Attorney Estes comments and explains the liability of the skatepark vs. the pool. The liability for the pool is typically higher for the pool than the skatepark. Town Manager Gaudet explains that he has had discussion with Mr. Ed Bantel of Southwest Risk regarding the liability of a pool vs. a skatepark, the liability insurance for the pool is higher than for a skatepark. Town Attorney Estes states that staff can contact other municipalities with skateparks and get information on the numbers of claims they have had in regards to injuries at their skateparks; we can find out about pool claims as well. The question is asked if the Town decides to go with the pool, do they get to keep the donation funds. Town Attorney Estes states "possibly, it is still up to the donor because it wasn't done in the time period he requested it be done". Councilmember Black asks which would best suit the people of the Town of Miami; a skatepark or the swimming pool. Councilmember Black states everyone wants the pool, everyone uses the pool; not many will use a skatepark, Council has to do what best serves the community. Open discussion and comments on how Council feels about the pool and the skatepark. Councilmember Black moved to table this agenda item, Item E. Motion seconded by Councilmember Sosh. Vice Mayor Moat calls for the vote. Vote – Mayor Gonzales – excused, Vice Mayor Moat – aye, Councilmember Black – aye, Councilmember Licano – aye, Councilmember Medina – aye, Councilmember Reiman – excused and Councilmember Sosh - aye. MOTION PASSED – ITEM TABLED. Council returns to ITEM D.

F. Information, discussion and possible action: Possible action to enter into executive session pursuant to A.R.S. § 38-431.03 (a)(3)(4) for discussion or consultation with the attorney of the public body in order to consider its position and instruct its attorneys regarding the public body's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation on a notice of claim on behalf of Edward Endera (also known as Edward Else) and regarding settlement claim of Aiden Gilmore.

Councilmember Black moved to enter into executive session. Motion seconded by Councilmember Sosh. Vice Mayor Moat calls for the vote. Vote – Mayor Gonzales – excused, Vice Mayor Moat – aye, Councilmember Black – aye, Councilmember Licano – aye, Councilmember Medina – aye, Councilmember Reiman – excused and Councilmember Sosh - aye. MOTION PASSED. 8:24 p.m.

Council returns to from executive session. All members present. Mayor Gonzales and Councilmember Reiman excused. 8:47 p.m.

10. CALL TO THE COUNCIL:

Councilmember Medina thanks the public for being present at the meeting.

11. ADJOURNMENT:

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

Meeting adjourned at 8:51 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 25th day of April, 2022.


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

DATED this 9th day of May, 2022.



Karen Norris, Town Clerk

APPROVED:


Sammy Gonzales, Mayor