



MINUTES
TOWN OF MIAMI
REGULAR MEETING
OF THE MAYOR AND COUNCIL
MONDAY, MAY 23, 2022 AT 6:30 PM

1. CALL TO ORDER:

Mayor Gonzales calls the meeting to order at 6:35 p.m.

2. PLEDGE OF ALLEGIANCE/INVOCATION:

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

3. ROLL CALL OF COUNCIL MEMBERS:

PRESENT: Mayor Gonzales, Councilmember Black (telephonically), Councilmember Licano and Councilmember Medina.

EXCUSED: Vice Mayor Moat, Councilmembers Reiman and Sosh.

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 May 9, 2022 Work Session and May 9, 2022 Regular Meeting.
- B.** Consideration and possible action to approve Town of Miami Payroll for May 15, 2022.
- C.** Consideration and possible action to approve Amendment No. 1 to Intergovernmental Agreement No. 012621 with Gila County for Mackey Camp Road maintenance.
- D.** Consideration and possible action to approve Amendment No. 3 to Intergovernmental Agreement No 012219 with Gila County for consolidated administration and operation of Limited Jurisdiction Courts.

Councilmember Medina moved to approve the consent agenda. Motion seconded by Mayor Gonzales. Mayor Gonzales calls for the vote. Vote – Mayor Gonzales – aye, Vice Mayor Moat – excused, Councilmember Black – aye, Councilmember Licano – aye, Councilmember Medina – aye, Councilmember Reiman – excused 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 29, 2022 to May 12, 2022.

Councilmember Licano moved to approve the demands for April 29, 2022 to May 12, 2022. Motion seconded by Councilmember Medina. Mayor Gonzales calls for the vote. Vote – Mayor Gonzales – aye, Vice Mayor Moat – excused, Councilmember Black – aye, Councilmember Licano – aye, Councilmember Medina – aye, Councilmember Reiman – excused and Councilmember Sosh - excused. MOTION PASSED.

6. REPORTS / RECOGNITIONS:

- A.** Town Manager Reports.

Town Manager Gaudet gives a brief update on the VIFA application for the Veregy Project. Reports on the Letter of Intent for Freeport’s Community Investment Fund; the Town will be applying for funding for a garbage truck. Reports on discussions with BHP and Tri City Regional Sewer District regarding the possible temporary sewer connections at Bechtel Tracts. Reports a Letter of Support was sent to ADOH for the Inspiration School Project. Congressman O’Halloran’s mobile office hours at the Miami Library will be Thursday, May 6th 10:00 a.m. to 1:00 p.m.

- B.** Mayor/Council Reports.

Councilmember Medina comments on the possibility of the Town allowing the picnic tables at the swimming pool be used for seating at the 2nd Saturday event. Comments on public parking spaces on Sullivan Street and living spaces in the commercial areas of town. Comments on seeing some skateboarding cultural recently and now has some concerns with that issue.

Mayor Gonzales thanks local business owner Mr. Phil Stewart for his efforts and time with organizing the 2nd Saturday event. Mayor Gonzales was able to make it to this most recent event and it looked to have a very nice turnout.

7. CALL TO THE PUBLIC:

Mrs. Carol Broeder, Miami resident, asks Council to consider putting the issue of the swimming pool on an upcoming agenda to discuss some of the repairs that was done to the pool in 2018. She would like to know what work was done and what has happened to the pool since that time.

Mr. Phil Stewart, local business owner and resident, gives a “shout out” to Miami Genesis for their event, entertainment and pop-up bar for the evening festivities on the 2nd Saturday. They did a great job.

8. UNFINISHED BUSINESS:

A. Information, discussion and possible action: Possible direction to staff to move forward with mitigation of structure located at 233 Prospect Avenue.

Town Manager Gaudet states at the last Council meeting, Council gave direction to staff to check with the Town's insurance carrier, Southwest Risk to find out what they would recommend for this issue. They advised that the Town use its provision of the Town Code that allows the Town to site criminally and impose daily fines and up to incarceration. In this case, the property owner is an elderly lady who lives in Scottsdale and is a chemo patient, the Town may not want to go the incarceration route with this property owner. Town Manager Gaudet states he did look into other options the Town may consider. He did reach out to Gila County to see if they would waive the landfill fees for the demolished material. Gila County states that they are not able to do that. Town Manager Gaudet states he was informed that there is a person in Mammoth who takes this type of material for just for the cost of loading it on the trailer. This would help to reduce the Town's cost to demolish this building. Mayor Gonzales asks if there is a problem with the Town using tax payers' money to take care of this private property. Town Attorney Estes states that the Town can use money for this in order to mitigate this danger. The Town also has the ability to place a lien on the property and seek reimbursement. There are certain things that can thwart that reimbursement in the future but there are things the Town can do as they may or may not come up. Brief discussion regarding property liens. Brief discussion regarding the contract price for the demolition and if the Town can place a "not to exceed" price on the contract. Town Attorney states yes, the Town can do that. Brief discussion regarding if the Town needs to do anything to prevent cars from going over the hill there when the building is removed. Councilmember Medina moved to give direction to staff to move forward with mitigation of structure located at 233 Prospect Avenue. Motion seconded by Councilmember Licano. Mayor Gonzales calls for the vote. Vote – Mayor Gonzales – aye, Vice Mayor Moat – excused, Councilmember Black – aye, Councilmember Licano – aye, Councilmember Medina – aye, Councilmember Reiman – excused and Councilmember Sosh - excused. MOTION PASSED.

9. NEW BUSINESS:

A. Information and discussion only: Presentation of Bullion Plaza Cultural Center and Museum financial and general activity summary.

Mr. Tom Foster, Executive Director, Bullion Plaza Cultural Center and Museum, is present to give presentation regarding the financial report and general activity summary of the museum.

B. PUBLIC HEARING, Discussion and Action: To hold a public hearing and adopt Ordinance No. 389, amending the Miami Town Code, Title 13 Public Services, Chapter 13.04 Sewer System Use Regulations by Amending 13.04.130 (C) Billing, Disputed Charges and 13.04.134 Disconnection and Reconnection Fees and providing for repeal of conflicting ordinances and providing for severability:

- a) Open Public Hearing ~ Mayor Gonzales. **7:36 p.m.**
- b) Open Discussion and Public Comments regarding the adoption of Ordinance No. 389; regarding Billing, Disputed Charges and Disconnection and Reconnection Fees.

Mr. Check Broeder, Miami resident, comments on a statement he made at a previous meeting in regards to a “grace period” before the late fee is charged. He now understands that there is basically a “grace period” as payment is due the first of each month and considered late after the 15th. Mr. Broeder state that often times the bills don’t even go out before the first of the month so this issue needs to be addressed by staff. Also, the bills are very small and hard to read and hopes the Town will take measure to make the bills clearer.

Mayor Gonzales asks Town Clerk Norris and Town Manager Gaudet if they received any comments or concerns from the public on this proposed ordinance. Both state no.

- c) Close Public Hearing ~ Mayor Gonzales. **7:39 p.m.**
- d) Council Discussion, Motion and Action.

Councilmember Medina moved to approve Ordinance No. 389, amending the Miami Town Code, Title 13 Public Services, Chapter 13.04 Sewer System Use Regulations by Amending 13.04.130 (C) Billing, Disputed Charges and 13.04.134 Disconnection and Reconnection Fees and providing for repeal of conflicting ordinances and providing for severability. Motion seconded by Councilmember Licano. Mayor Gonzales calls for a roll call vote. Vote – Mayor Gonzales – aye, Vice Mayor Moat – excused, Councilmember Black – aye, Councilmember Licano – aye, Councilmember Medina – aye, Councilmember Reiman – excused and Councilmember Sosh - excused. MOTION PASSED.

C. Information, discussion and possible action: Review of primary property tax levy and direction to staff regarding which primary property tax levy to assess.

Town Manager Gaudet presents this item to Council showing them 3 possible rate options to assess and asks Council for their direction with which rate to proceed with. The first option is to keep it at its current rate. The second option is the highest rate the Town can assess without going through the Truth in Taxation process, which is \$4.4991per \$100 of the assessed value. This will have a revenue increase in FY 22/23 of \$2,008.00. The third option will require a Truth in Taxation Hearing and would assess at \$6.5114, which is the maximum amount, and will have a revenue increase in FY 22/23 of \$89,103.00. Town Manager Gaudet recommends that Council move forward with the second option of \$4.4991. Councilmember Licano states now is not the time to be raising taxes to the maximum. Councilmember Black agrees and thinks the second option is the one to go with. Councilmember Medina moved to direct staff to assess primary property tax levy Table B (option 2). Motion seconded by Councilmember Licano. Mayor Gonzales calls for the vote. Vote – Mayor Gonzales – aye, Vice Mayor Moat – excused, Councilmember Black – aye, Councilmember Licano – aye, Councilmember Medina –

aye, Councilmember Reiman – excused and Councilmember Sosh - excused. MOTION PASSED.

D. Information, discussion and possible action: Possible approval of fiscal year 2022/2023 tentative budget.

Town Manager Gaudet asks Council if they will table this item until the next meeting. Mrs. Pat Walker has reached out to him to discuss this budget and he was unable to get in contact with her before the meeting. He would like to talk to her before Council votes on this item. Town Manager Gaudet states we are ahead of schedule so it will not be a problem to do this at the next meeting. Councilmember Black moved to table this item until the next meeting. Motion seconded by Councilmember Licano. Mayor Gonzales calls for the vote. Vote – Mayor Gonzales – aye, Vice Mayor Moat – excused, Councilmember Black – aye, Councilmember Licano – aye, Councilmember Medina – aye, Councilmember Reiman – excused and Councilmember Sosh - excused. MOTION PASSED – ITEM TABLED.

E. Information, discussion and possible action: Discussion and possible action on the appointment of an interim town manager(s) to assist in the transition of the current town manager and the hiring of a new permanent town manager.

Town Attorney Estes states he wanted to put this on the agenda for Council discussion. Town Attorney Estes states Council won't want to rush into anything. We don't know how long it will take to get a Town Manager hired. The Town would want to have an Interim in place and there are many different ways that can be handled, whether using current staff or organizations that have Interims available for short term periods. Town Attorney Estes states Council may want to table this item until the next meeting since we don't have a full Council present. Mayor Gonzales moved to table this item until the next Council meeting. Motion seconded by Councilmember Medina. Mayor Gonzales calls for the vote. Vote – Mayor Gonzales – aye, Vice Mayor Moat – excused, Councilmember Black – aye, Councilmember Licano – aye, Councilmember Medina – aye, Councilmember Reiman – excused and Councilmember Sosh - excused. MOTION PASSED – ITEM TABLED.

10. CALL TO THE COUNCIL:

Mayor Gonzales states this Monday is Memorial Day, he thinks the Town is planning something with the Legion Riders or American Legion in Veterans Park. The Town will have that information out soon. Reminds everyone that the last day of school is this Thursday, be careful and watch for the kids out and about.

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

11. ADJOURNMENT:

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

aye, Councilmember Reiman – excused and Councilmember Sosh - excused. MOTION PASSED.

Meeting adjourned at 7:58 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 23rd day of May, 2022.

I further certify that the meeting was duly called and that a quorum was present.
DATED this 13th day of June, 2022.



Karen Norris, Town Clerk

APPROVED:



Sammy Gonzales, Mayor