



MINUTES

TOWN OF MIAMI

REGULAR MEETING OF THE MAYOR AND COUNCIL MONDAY, SEPTEMBER 26, 2022 AT 6:30 PM

1. CALL TO ORDER:

Mayor Gonzales calls the meeting to order at 6:31 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, Vice Mayor Moat, Councilmember Black, Councilmember Medina, Councilmember Reiman and Councilmember Sosh.

EXCUSED: Councilmember Licano.

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

4. CONSENT AGENDA:

- A. Consideration and possible action to approve Minutes of September 12, 2022 Regular Meeting.
- B. Consideration and possible action to approve Amendment No. 3 to IGA No. 092419 between Gila County and Town of Miami for fuel purchases.
- C. Consideration and possible action to approve Breast Cancer Awareness Month – October Proclamation.
- D. Consideration and possible action to approve Domestic Violence Awareness Month – October Proclamation.

Mayor Gonzales read aloud the Breast Cancer Awareness Month and Domestic Violence Awareness Month Proclamations. Councilmember Black moved to approve the consent agenda. Motion seconded by Councilmember Reiman. Mayor Gonzales calls for the vote. Vote – Mayor Gonzales – aye, Vice Mayor Moat – aye, Councilmember Black – aye, Councilmember Licano – excused, 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 September 2, 2022 to September 15, 2022.

Councilmember Sosh moved to approve the demands for September 2, 2022 to September 15, 2022. Motion seconded by Councilmember Black. Mayor Gonzales calls for the vote. Vote – Mayor Gonzales – aye, Vice Mayor Moat – aye, Councilmember Black – aye, Councilmember Licano – excused, Councilmember Medina – aye, Councilmember Reiman – aye and Councilmember Sosh - aye. MOTION PASSED. Councilmember Black asks Finance Director, Maria Lopez, if Council can start getting a financial aging report again.

6. REPORTS / RECOGNITIONS:

- A.** Town Manager Reports.

Town Manager Rivera reports that the Town has received the list of buildings approved for the EPA Brownfield Building Grant and Inspiration School is at the top of the list with a 98% possibility of being selected. Has a meeting this coming Wednesday with Gila County Supervisor(s) and Gila County Manager to see if they can help the Town fix the brick wall, that runs along the creek, at the Miami Veterans Park. Announces that we have two audits coming up, one for the Town fiscal year 2021 and the other will be for the Magistrate Court. There will be a community event on October 15th at the Bullion Plaza, Stand Together Against Drugs & Alcohol.

- B.** Mayor/Council Reports.

Councilmember Black reports that he attended a meeting on Friday with University of Arizona regarding testing of the soil for contaminants from the burn scar area. The EPA and U of A are interested in knowing what is in the soil. On the 13th and 14th, they will be here with soil test sample kits. Citizens can get a kit and take soil samples from their property and bring the kits back to Town Hall for the U of A pick up and test the samples taken.

Vice Mayor Moat thanks Town Manager Rivera for enlightening him on the skatepark project. This is something Council should dig deeper into. Vice Mayor Moat comments on the pool repair project and states he feels it should take priority over the skatepark project.

Councilmember Medina comments regarding people at the Senior Center wondering why he and Louisa have not been in. He explains that they have just been really busy this past week. Councilmember Medina comments on the Fiesta, another successful event. Announces the last day to register to vote is October 11th and the midterm or general election is on November 8th – just 43 days away.

Mayor Gonzales comments on the Fiesta event; it was excellent and they had a good crowd. Comments that Miami Genesis did a great job putting on the event and gives thanks to others who helped and/or participated in the event. Mayor Gonzales comments on Ghost Adventurers

from the Travel Channel, they did a paranormal investigation at the Bullion Plaza Museum and it aired last Thursday. He thinks this publicity will draw people to the Bullion Plaza Museum and to our town.

7. CALL TO THE PUBLIC:

Mrs. Carmen Casillas, Globe resident, states she understands how hard it is to sit up there and make decisions. Mrs. Casillas states they will be having an event at the Bullion Plaza Lawn on October 15th; a call to action to everyone in the community to stand against drugs, narcotics, fentanyl and gang violence in our community. Wants to bring awareness to the growing problem in our community. This event is free to the public and they will have hot dogs, cotton candy and music.

Mr. Tom Foster, Bullion Plaza Museum Executive Director, gives thanks to the Miami Public Works Department and to Evelyn Vargas and her clean up crew for working and cleaning up around the Bullion Plaza area. Reports briefly on the Ghost Adventures paranormal investigation of the museum. Mr. Foster comments that he had no control over their content or editing; it was a lot of theatrics and editing.

Mr. Edward Farrell, Veregy, reports that they are working on the wastewater treatment plant upgrades and solar panel project. They are on schedule to make their presentation to Council on October 10th. Reports on the WIFA financing for the project and the land lease agreement for the solar panels.

8. UNFINISHED BUSINESS: None.

9. NEW BUSINESS:

- A. Information, discussion and possible action:** To approve Resolution No. 1278 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 Rivera presents this resolution to Council explaining that it is just to update the applicant agent for the Hazard Mitigation Program from the previous Town Manager to himself. Councilmember Black moved to approve Resolution No. 1278 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 Sosh. Mayor Gonzales calls for the vote. Vote – Mayor Gonzales – aye, Vice Mayor Moat – aye, Councilmember Black – aye, Councilmember Licano – excused, Councilmember Medina – aye, Councilmember Reiman – aye and Councilmember Sosh - aye. MOTION PASSED.

- B. Information, discussion and possible action:** To appoint two (2) new primary check signers Mike Sosh and Alexis Rivera (removing Keith Thompson and Micah Gaudet), and to appoint new secondary check signers Richard Shaw and Melinda Baeza (removing Katie Dwoznik).

Finance Director, Maria Lopez, presents this item to Council and this is just to update the Town's banking information. Brief discussion regarding the suggested signers and who Council feels should be signing checks for the Town. Mayor Gonzales asks the Town Attorney if the Town Manager can or should be a check signer. Town Attorney Estes states there would be no issues having the Town Manager as a signer. Councilmember Medina moved to appoint two (2) new primary check signers Mike Sosh and Alexis Rivera (removing Keith Thompson and Micah Gaudet), and to appoint new secondary check signers Richard Shaw and Melinda Baeza (removing Katie Dwoznik). Motion seconded by Councilmember Reiman. Brief discussion regarding the suggested signers. Councilmember Medina amended his motion to appoint Mike Sosh and Alexis Rivera, removing Keith Thompson and Micah Gaudet as primary signers and removing Katie Dwoznik as a secondary signer. Amendment seconded by Councilmember Sosh. Mayor Gonzales calls for the vote. Vote – Mayor Gonzales – aye, Vice Mayor Moat – aye, Councilmember Black – aye, Councilmember Licano – excused, Councilmember Medina – aye, Councilmember Reiman – abstains and Councilmember Sosh - aye. MOTION PASSED.

C. Information, discussion and possible action: To remove Keith Thompson and Micah Gaudet from having administrator rights to online banking.

Finance Director, Maria Lopez presents this item to Council explaining that this is to remove Keith Thompson and Micah Gaudet from having administrator rights to online banking and adding Town Manager Rivera with administrator rights. Mayor Gonzales asks if they can add Town Manager Rivera as an administrator at this time since this item is not agendaized as such. Town Attorney Estes states it will have to come back to Council to add Town Manager Rivera. Councilmember Reiman moved to remove Keith Thompson and Micah Gaudet from having administrator rights to online banking. Motion seconded by Councilmember Black. Mayor Gonzales calls for the vote. Vote – Mayor Gonzales – aye, Vice Mayor Moat – aye, Councilmember Black – aye, Councilmember Licano – excused, Councilmember Medina – aye, Councilmember Reiman – aye and Councilmember Sosh - aye. MOTION PASSED.

D. Information, discussion and possible action: Presentation of investment opportunity from Moreton Capital Markets, L.L.C. and possible direction to staff to move forward with investing with Moreton Capital Marketing L.L.C.

Mr. Cory McKendrick and Ryan Stoker with Moreton Capital Markets, L.L.C. present this item to Council. Mr. McKendrick gives a brief overview of their company and team. Mr. McKendrick states that there is no contract required for their services and the Town can start and stop investing with them at any time. There are no annual fees to work with them. They make their money on a per transaction basis. Mr. McKendrick reviews the investment policy and legalities of municipalities investing public funds. Mr. McKendrick gives an explanation of brokered CD's. Mr. McKendrick reviews the proposed investment strategy. Comments regarding investing in different maturity dates; longer investments have higher returns. Review of the proposed Town of Miami Ladder Strategy. This strategy is customizable as the Town sees fit, but this is the strategy they are recommending for the Town. Review of hypothetical cash flow return on investments per period. Brief discussion regarding if this service is something that the Town should go out to RFP for services. Town Attorney Estes explains that the Town does not need to go out for request for proposals for this service and explains why. Discussion regarding what

other municipalities are using this company's services and are they satisfied. It is stated that Town of Kearny is working with Moreton and are happy with their services. Discussion regarding penalties if the Town was to cash out a CD early. Mr. McKendrick explains they are proposing brokered Certificates of Deposit and they are different than bank CD's. If the Town goes to the bank and breaks the CD, the Town will not be "fined", but will lose out on interest due, owed or earned on that CD. Brokered CD's are on a different market than a bank CD, with the CD's they set up the ladder with the idea that they know emergencies happen, things come up and cash might need to be obtained quickly. So within 3 months one will be maturing and the next one goes down to 3 months. If the Town needs to raise capital from the CD's they have a liquid market and get a bid on the CD's. They are traded more like a security than a bank CD. The value of these CD's will fluctuate, they will go up and they will go down based on what the current interest rate environment is and will be reflected on the monthly statement. The only time that ever comes into play is if we have to sell. Regardless if you have to sell or when you have to sell, the Town is entitled to 100% of the accrued interest its earned from the time the Town has held it to the time that it is sold. Then they will go out to the market and find CD buyers and sell them out. On the flip side, if we get to a point where interest rates continue to fall, there is a chance we will see the market value go below the \$250,000. The only time that will come into play is if we have to sell the CD early. As long as it is held to maturity, we are entitled to get the whole principal back, as well as, guaranteed to get 100% of the accrued interest during that period of time. Councilmember Black states that he would like to table this item so that he can do some research before making a decision on this. Councilmember Black moved to table this item. Motion seconded by Councilmember Medina. Mayor Gonzales asks about the legalities of investing the Kinkaid settlement funds, which are specified on what that money can be used for. Town Attorney Estes states he will have to take a look at the settlement agreement to see what restrictions were put on it, but does not think the act of investing pending the actual use of it would be a violation of the agreement. Councilmember Reiman states that he is not in favor of tabling this item. Open discussion and comments regarding seeing the specific investment agreement and its terms. Town Attorney Estes states the agenda item is to "move forward with investing with Moreton", but would like see a specific investment agreement as to how it would be invested and the terms. Councilmember Black amends his motion to table until the next meeting with the agreement showing all the terms. Amendment seconded by Councilmember Medina. Mr. McKendrick states they can provide an investment agreement, an RBC agreement which will go over the terms of their safety and things of that nature. They do not charge any percentages, banks will bring to market whatever terms they are interested in, they set the interest rate and selling concession. Moreton is paid the selling concession by the bank, to sell their CD. Brief discussion regarding their concession rate for selling the CD. Mayor Gonzales calls for the vote. Vote – Mayor Gonzales – aye, Vice Mayor Moat – aye, Councilmember Black – aye, Councilmember Licano – excused, Councilmember Medina – aye, Councilmember Reiman – nay and Councilmember Sosh - aye. MOTION PASSED - TABLED.

E. Information, discussion and possible action: To approve renewal of Bullion Plaza Gym Management Agreement with Miami Genesis Inc.

Town Manager Rivera presents this item to Council explaining that the agreement with Miami Genesis to manage the Bullion Plaza Gym is up for renewal on October 31, 2022. Brief discussion regarding the possibility of opening this up for public bid/proposals to allow for other

people to submit a proposal to manage the gym. Councilmember Sosh explains that he has had a couple of people express interest in putting in a proposal to manage the gym. Councilmember Black states that he would like to open it up for public proposals or have the Town just assume management of the gym. Councilmember Black comments that some of the terms of the agreement with Miami Genesis have not been complied with. The quarterly reports/activity have not been submitted to the Town. Ms. Susan Hanson of Miami Genesis states that she has submitted reports to the Town Finance Director. Ms. Hanson also comments on the content of the reports submitted. Community Services Director, Christine Duarte, states that she, personally gave the reports to Town Manager Gaudet. Open discussion and comments regarding putting this out for public proposals to manage the gym and/or the Town just taking over the task. Councilmember Sosh moved to table this item. Motion seconded by Councilmember Black. Mayor Gonzales calls for the vote. Vote – Mayor Gonzales – aye, Vice Mayor Moat – aye, Councilmember Black – aye, Councilmember Licano – excused, Councilmember Medina – aye, Councilmember Reiman – aye and Councilmember Sosh - aye. MOTION PASSED - TABLED.

F: Possible action to convene into executive session:

- 1) An executive session pursuant to A.R.S. § 38-431.03(A)(1) for discussion or consideration of employment, assignment, appointment, promotion, demotion, dismissal, salaries, disciplining or resignation of a public officer, appointee or employee of any public body to discuss the Chief of Police position and Chief Keith Thompson's resignation.
- 2) An executive session pursuant to A.R.S. § 38-431.03(A)(3) for discussion or consultation for legal advice with the Town Attorney regarding potential Code or Town policy amendments regarding the appointment of an interim and/or permanent Chief of Police.

Councilmember Medina moved to convene into executive session. 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 – excused, Councilmember Medina – aye, Councilmember Reiman – aye and Councilmember Sosh - aye. MOTION PASSED. 8:37 p.m.

Councilmember Black moved to reconvene to the regular Council session. Motion seconded by Councilmember Medina. Mayor Gonzales calls for the vote. Vote – Mayor Gonzales – aye, Vice Mayor Moat – aye, Councilmember Black – aye, Councilmember Licano – excused, Councilmember Medina – aye, Councilmember Reiman – aye and Councilmember Sosh - aye. MOTION PASSED. 9:37 p.m.

G. Information, discussion and possible action: To give direction to staff regarding process of hiring an interim and/or permanent Chief of Police.

Councilmember Black moved to table this item. Motion seconded by Councilmember Sosh. Mayor Gonzales calls for the vote. Vote – Mayor Gonzales – aye, Vice Mayor Moat – aye, Councilmember Black – aye, Councilmember Licano – excused,

Councilmember Medina – aye, Councilmember Reiman – aye and Councilmember Sosh - aye. MOTION PASSED – TABLED.

10. CALL TO THE COUNCIL:

Councilmember Medina thanks the public for attending the meeting this evening.

11. ADJOURNMENT:

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

Meeting adjourned at 9:39 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 26th day of September, 2022.

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

DATED this 10th day of October, 2022.



Karen Norris, Town Clerk

APPROVED:



Sammy Gonzales, Mayor