



MINUTES
TOWN OF MIAMI
REGULAR MEETING
OF THE MAYOR AND COUNCIL
MONDAY, JANUARY 22, 2024 AT 6:30 PM

1. CALL TO ORDER:

Mayor Medina called the meeting to order at 6:30 p.m.

2. PLEDGE OF ALLEGIANCE/INVOCATION:

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

3. ROLL CALL OF COUNCIL MEMBERS:

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

EXCUSED: Councilmember Licano.

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

4. CONSENT AGENDA:

- A. Consideration and possible action to approve Minutes of January 8, 2024 Regular meeting.
- B. Consideration and possible action to approve Town of Miami Payroll for January 7, 2024.
- C. Consideration and possible approval of Black History Month Proclamation.

Mayor Medina read aloud the Black History Month Proclamation. Councilmember Sosh moved to approve the consent agenda. Motion seconded by Councilmember Black. Mayor Medina calls for the vote. Vote – Mayor Medina – aye, Vice Mayor Moat – aye, Councilmember Black – aye, Councilmember Gonzales – aye, Councilmember Licano – excused, 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 December 29, 2023 to January 11, 2024.

Councilmember Black moved to approve the demands for December 29, 2023 to January 11, 2024. Motion seconded by Councilmember Sosh. Mayor Medina calls for the vote. Vote – Mayor Medina – aye, Vice Mayor Moat – aye, Councilmember Black – aye, Councilmember

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

6. REPORTS / RECOGNITIONS:

A. Town Manager Reports.

Town Manager Rivera welcomes back Vice Mayor Moat. Town Manager Rivera recognizes local stakeholders of the community for their support of social investment projects; FMI, Capstone, Cobre Valley Regional Hospital, BHP and Resolution Copper. Reports that the Town is applying for a 2-million-dollar grant from the Office of Energy Efficiency and Renewable Energy to provide energy saving upgrades to the Town of Miami facilities. Reports that we are receiving applications for Police Sergeant and Police Officer positions we are currently advertising to fill. Town Manager Rivera reports that the Town is having conversations with the Office of Eli Crane in efforts to obtain funds for community road repairs. Working on a coordinated community calendar for the social projects' construction. Announces that next Monday will be the first meeting between CAG, Rick Engineering and the Town regarding the Keystone Stairs Project.

B. Mayor/Council Reports.

Councilmember Sosh states that for those who did not receive the postcard in the mail regarding the upcoming bridges project on Highway 60, construction will begin mid-February and go into 2027.

Vice Mayor Moat states that on the morning of Halloween he had a heart attack, went to the emergency room and ended up having 3 stints put in. It has been a rough recovery but is blessed to be here tonight. Gives thanks to all those who checked up on him.

Mayor Medina comments on submission of Council reports to be put on the agenda for discussion. Mayor Medina comments on the Town of Miami being a Council/Manager form of government and any action must be taken by the Council as a whole. Reminds Council that Financial Disclosure Statements are due January 31st. Mayor Medina reports that he is working on a current events calendar will be sharing that calendar with the Economic Development Director.

7. CALL TO THE PUBLIC:

Mr. Jesse Bryant, Globe resident, gives a brief update on the planning of the Independence Day events. Mr. Bryant extends an invitation to the Mayor and Councilmembers to make a short speech at the opening ceremonies.

Mr. Chuck Broeder, Miami resident and business owner, comments on a code enforcement issue he had and feels that due to that experience the Town needs to review and update its Policy and Procedures.

8. UNFINISHED BUSINESS:

9. NEW BUSINESS:

- A. Information and discussion only:** Freeport-McMoRan, Inc. presentation of \$25,000.00 to the Town of Miami for the Keystone Stair Observation Deck Project.

Mrs. Robin Bradford of Freeport-McMoRan, Inc. presents a check in the amount of \$25,000.00 to the Town of Miami for Phase 2 of the Keystone Stairs Project, Observation Deck. Mrs. Bradford comments that they are happy to partner with Town of Miami on this project. Mayor Medina and Council gratefully thank Robin and Freeport for the donation to this project.

- B. Information and discussion only:** Information and update regarding CDBG Project No. 108-24, Historic Keystone Stairs Rehabilitation.

Town Manager Rivera comments on the situation with the funding for this project. He met with CAG today regarding steps to take for continuation of this project and it looks as if it will need to be done in phases. Town Manager Rivera states he will be having a meeting with CAG and Rick Engineering next week to determine how to proceed with this project.

- C. Information and discussion only:** Discussion regarding conduct and decorum of Mayor Medina in respects to dignity and respect of other Council Members as described in Town Council Rules and Procedures, Section 3.8.

Councilmember Black states a few meetings ago Council had an agenda item to do a review of Town Manager Rivera. At that time the Mayor was against this and made it a point conduct his decorum towards him (Councilmember Black) in an inappropriate way. Councilmember Black reads from the Town Council Rules and Procedures, Section 3.8 Conduct and Decorum. Councilmember Black states at that meeting Mayor Medina attacked him, slandered himself by telling him that he talked to ex Police Chief Louis and he "threw him (Councilmember Black) under the bus". Four people called Louis the next day and told him what they heard. Louis called Councilmember Black the next day to let him know he said nothing of the sort. Councilmember Black states Mayor Medina said that Councilmember Black "stabbed him (Mayor Medina) in the back". Councilmember Black states he has no recollection of anything like that. Councilmember Black states Mayor Medina has done this to other Councilmembers as well. Councilmember Black comments regarding Mayor Medina's comments in regards to Council getting rid of the dispatching services not him (Mayor Medina) but Council. Councilmember Black states that he is tired of Mayor Medina belittling and degrading the Council, as well as, slamming the gavel if they say something during discussions. Mayor Medina responds stating that Councilmember Black flat out had it to go out and fire the Town Manager. Mayor Medina states that because of the interaction between Councilmember Black and himself he contacted some officials in the valley and they advised he contact the attorney. He contacted the attorney and commented that one of the Councilmembers need a little bit of pulling back on the reins. Mayor Medina comments regarding training for the Council. Town Attorney Estes states his goal is to provide various trainings on public records, open meeting laws and training in regards to rules and procedures. Mayor Medina states that he might have

overreacted because one of the best things this town has ever had is Alexis Rivera as our Town Manager. Mayor Medina states he is a valuable asset to this town and to attack him and try to get rid of him, he was not going to stand for it, so, maybe he overreacted.

- D. Information, discussion and possible action:** Possible direction to Town Attorney to draft an amendment to the Town of Miami Town Council Rules and Procedures providing for removal of Mayor or Vice Mayor from position if they have violated this policy, Section 3.8.

Councilmember Black comments regarding all of Council being elected by the people and cannot be removed from the position. The Mayor and Vice Mayor are elected by the Council but there is nothing in the Council's policies that allows for reprimand of the Mayor or Vice Mayor if they violate the provisions of this policy. Councilmember Black states he would like to have the Town Attorney write an amendment to this policy providing for removal of Mayor or Vice Mayor if they violate this policy. Councilmember Black clarifies that he is not looking to remove the Mayor or Vice Mayor from Council but, the ability to remove them from the position of Mayor or Vice Mayor, essentially move them back to a Councilmember position and vote for a new Mayor or Vice Mayor to the position. Councilmember Black moved to direct the Town Attorney to draft an amendment to the Town of Miami Town Council Rules and Procedures providing for removal of Mayor or Vice Mayor from the position if they have violated this policy, Section 3.8. Motion seconded by Councilmember Sosh. Councilmember Reiman states that if Council is going to draft an ordinance for removal of the Mayor or Vice Mayor, they should include a process for a finding of violation of the rules. Councilmember Black agrees with Councilmember Reiman. Councilmember Black moved to add that to his motion. Seconded by Councilmember Reiman. Open discussion and comments regarding this item. Town Attorney Estes states that he can take a look at that whole section and prepare something for review by Council. Town Attorney clarifies there is a motion to amend the Town Council Rules and Procedures providing for a provision to be able to remove and replace the Mayor or Vice Mayor during a term under Section 3.8 with a provision that there will be some type of established due process proceeding for that. Mayor Medina calls for the vote. Vote – Mayor Medina – nay, Vice Mayor Moat – aye, Councilmember Black – aye, Councilmember Gonzales – aye, Councilmember Licano – excused, Councilmember Reiman – aye and Councilmember Sosh - aye. MOTION PASSED.

- E. Information, discussion and possible action:** To recess into and hold executive session:

- a) Pursuant to A.R.S. §38-431.03 (A) (1) and (4) for discussion or consideration of employment, assignment, salary, promotion, demotion or discipline and the contract of Town Clerk, Karen Norris.
- b) Pursuant to A.R.S. 38-431.03 (A)(4) for discussion or consideration of the contract for the Town Attorney services with Gust Rosenfeld.
- c) Pursuant to A.R.S. §38-431.03 (A) (3) for discussion or consultation with the Town Attorney of the public body for legal advice to consider the Town's position regarding Tri-City Regional Sanitation District negotiations.

Councilmember Gonzales states for the record he is going excuse himself from Item a of the executive session but will be present for Items b and c.

Councilmember Black moved to convene into executive session. Motion seconded by Councilmember Sosh. Mayor Medina calls for the vote. Vote – Mayor Medina – aye, Vice Mayor Moat – aye, Councilmember Black – aye, Councilmember Gonzales – aye, Councilmember Licano – excused, Councilmember Reiman – aye and Councilmember Sosh - aye. MOTION PASSED. 7:21 p.m.

Councilmember Black moved to reconvene from executive session. Motion seconded by Councilmember Sosh. Mayor Medina calls for the vote. Vote – Mayor Medina – aye, Vice Mayor Moat – aye, Councilmember Black – aye, Councilmember Gonzales – aye, Councilmember Licano – excused, Councilmember Reiman – aye and Councilmember Sosh - aye. MOTION PASSED. 8:48 p.m.

F. Information, discussion and possible action: Possible renewal of employment contract for Town Clerk, Karen Norris.

Councilmember Black moved to direct the Town Attorney draft a contract as discussed in the executive session. Motion seconded by Councilmember Sosh. Mayor Medina calls for the vote. Vote – Mayor Medina – aye, Vice Mayor Moat – aye, Councilmember Black – aye, Councilmember Gonzales – abstain, Councilmember Licano – excused, Councilmember Reiman – aye and Councilmember Sosh - aye. MOTION PASSED.

G. Information, discussion and possible action: Possible action to approve changes associated with contracted Town Attorney services.

Town Attorney Estes explains that that he as given notice of his transition from the firm of Gust Rosenfeld, at the end of the month, to Pierce Coleman. When an attorney leaves or transitions from one firm to another, the client may remain with the current firm of Gust Rosenfeld or they can transition with him to the new firm, or retain new counsel altogether. Town Attorney Estes states that this is not a solicitation one way or the other, just a statement for the Town Council because they appoint the Town Attorney. Councilmember Gonzales moved to approve changes associated with contracted Town Attorney services as discussed in executive session. Motion seconded by Councilmember Black. Mayor Medina calls for the vote. Vote – Mayor Medina – aye, Vice Mayor Moat – aye, Councilmember Black – aye, Councilmember Gonzales – aye, Councilmember Licano – excused, Councilmember Reiman – aye and Councilmember Sosh - aye. MOTION PASSED.

H. Information, discussion and possible action: Possible direction to staff regarding the Letter of Support of the Tri-City Regional Sanitation District 208 Plan amendment.

Town Attorney Estes gives a brief overview of this item. Mayor Medina moved to direct staff to provide a Letter of Support of the Tri-City Regional Sanitation District 208 Plan amendment. Motion seconded by Councilmember Gonzales. Mayor Medina calls for the vote. Vote – Mayor Medina – aye, Vice Mayor Moat – aye, Councilmember Black – aye, Councilmember

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

10. CALL TO THE COUNCIL:

Mayor Medina thanks the public for attending tonight's meeting.

Councilmember Gonzales comments that it was a good game Friday between San Carlos and Miami Varsity girls' basketball teams; Miami prevailed.

11. ADJOURNMENT:

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

Meeting adjourned at 8:56 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 22nd day of January, 2024.

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

DATED this 12th day of February, 2024.

Karen Norris, Town Clerk

APPROVED:

Jose "Angel" Medina Sr., Mayor