

**Minutes
Town of Clifton
Town Council Regular Meeting
December 8, 2022
2:00 P.M.**

Members Present

Mayor Luis Montoya
Vice-Mayor Laura Dorrell
Council member Anthony James
Council member Ray Lorenzo
Council member Ray West
Council member, Karen Crump-Frye**
Council member, Vacant

*Excused

**Participated via telephone

Quorum Present

The Town's legal counsel participated via telephone as did representatives of Clifton LarsonAllen, LLP, town auditors.

Call to Order: The meeting was called to order by Mayor Luis Montoya followed by the Pledge of Allegiance.

Call to the Public: Daniel Cervantez expressed his thanks to the town for organizing and bringing back the traditional Festival of Lights Event.

Council Reports: Vice-Mayor Laura Dorrell also expressed her gratitude and appreciation to all the volunteers who assisted in the 26th Annual Festival of Lights Event.

Council member Karen Crump-Frye provided an update on the recent Freeport McMoRan Foundation grant award to the Greenlee Tourism Council in the amount of \$125,000 for a San Francisco River revitalization program.

Council member Ray Lorenzo also commented on the recent Festival of Lights Event. Although the weather was wet and cold, he also extended his appreciation to all the participants who came out to support the event.

Mayor Montoya's report also included his thanks to the organizing committee of the Festival of Lights. He also expressed his appreciation to those organizations/businesses that made cash donations towards the event.

Mayor Montoya in closing, notified Council that he would not be accepting nominations for Mayor as Council prepares to seat a new Council next month.

Consent Agenda: Motion to approve the following items listed under Consent Agenda was made by Vice-Mayor Laura Dorrell; seconded by Council member Ray Lorenzo:

1. Approval of the October 13, 2022 Regular Meeting Minutes;
2. Receive Department Reports;
3. Approval of October 2022 and November Demands.

Voting in favor of the motion were Council members Dorrell, Lorenzo, James, Crump-Frye, West and Montoya. Motion carried.

The order of the agenda was revised to allow the representatives of CliftonLarson Allen LLP to present their findings since they were participating via telephone.

New Business

Presentation of the FY2022 Annual Audit Report – CliftonLarsonAllen, LLP: Richard Gillespie, Lead Auditor for the firm, provided Council with a review of the Financial Report, Annual Expenditure Limitation Report, Highway User Revenue Funds, Governance Communications Letter and Internal Control Letter for Fiscal Year 2022.

Mr. Gillespie expressed his thanks to town staff for their cooperation and promptness to provide the reports necessary to complete the audit.

Mayor Montoya offered his thanks to Mr. Gillespie and Ms. Cronstrom for providing the reports and making themselves available for the telephonic presentation.

Old Business

Discussion and/or action to approve the Preliminary Land Exchange Agreement between the Town of Clifton and Freeport Minerals Corporation: Town Manager, Rudy Perez reviewed the appraisal report prepared by Weissenborn Appraisal at the request of Freeport McMoRan. The property appraisals provide the fair market value of three parcels of land that are the subject of a potential exchange between the town and FMI. Mr. Perez reported on the appraisal of each site. The appraised value was reported as follows:

Riverside Property was valued at \$13,000.00 (owned by Town of Clifton)
Football Field Site was valued at \$50,000.00 (owned by Town of Clifton)
WWTP Site was valued at \$39,000.00 (owned by Freeport Minerals Corporation)

Mr. Perez reiterated that prior to any land exchange involving public property, the properties must be of equal value. He explained that the town's combined property values total \$63,000. Since the WWTP site is valued at \$39,000.00 they have offered to add the leased parcel where the town's public work's yard is located. This property is currently leased by the town from FMI.

Motion was made by Mayor Luis Montoya to pursue the land exchange to include the town's properties: Riverside Site and the Football Field Site) in exchange for FMI's WWTP Site and the public works yard parcel with no additional costs imposed on the town. Second to the motion was made by Vice-Mayor Laura Dorrell.

Voting in favor of the motion were Council members Montoya, Dorrell, West, Lorenzo, James and Crump-Frye. Motion carried.

The Town's legal counsel advised that the next steps in the proposed land exchange will be to draft an ordinance outlining the land exchange as well as the public notice of sale to be published.

Discussion and/or action to approve \$7,018.86 from the contingency fund Mayor & Council budget for the EZ Roll Stage System: Mayor Montoya explained that the EZ Roll Stage System had been purchased for the Festival of Lights Event and will be available for other events as well. He is requesting approval to have the stage paid from the Mayor & Council's budget.

Motion to authorize the expenditure in the amount of \$7,018.86 to be paid from the Mayor & Council's budget was made by Mayor Luis Montoya. Second to the motion was made by Council member Ray West.

Voting in favor of the motion were Council members Montoya, West, Dorrell, James, Lorenzo and Crump-Frye. Motion carried.

Discussion and/or action to authorize Councilmember Karen Paton Frye to attend meetings telephonically for $\frac{3}{4}$ of the meetings: Council member Frye explained that she and her husband have purchased property out of state and are working to restore the property similar to what they have accomplished here in Clifton. She has continued to participate actively on the Council either in person or telephonically and is willing to continue her term with an offer to transition out until a replacement can be found. Ultimately, she wants what's best for the town.

Trish Stuhan, Town Attorney was asked to research the Council members' request to assure Council that Council member Frye's request would not jeopardize any of council's approvals/ actions.

Motion to authorize Council member Frye to participate remotely until a replacement could be found was made by Council member West. Second to the motion was made by Vice-Mayor Dorrell.

Voting in favor of the motion were Council member West, Dorrell, James, Lorenzo and Montoya.

Abstaining from the vote was Council member Crump-Frye.

Motion carried.

Manager's Report: Town Manager Rudy Perez reported on the following activities:

- Provided an update on the WWTP Rehabilitation Project. Explained that the project has been on hold pending the issuance of the Aquifer Protection Permit by ADEQ. The permit has been granted and will be issued upon payment of the fee. KE&G will be issued a notice to proceed for the construction.
- Reported that the Frisco Avenue Bridge design is 95% complete. Deadline for completion is December 20, 2022. Anticipated construction bidding date will be in April 2023; notice to proceed in May 2023. Projected to be completed in December 2023.
- American Rescue Plan Act (ARPA Funding) Project-Town Lift Station improvements design is 80% complete. Construction estimate is \$800,000.
- Fire Station Land Acquisition updated includes town legal counsel to review the seller's preferred agreement. The property owner countered the offer with his own agreement.
- CDBG-Regional Account 2022– Upgrading of additional Flap Gates Project. The project is currently undergoing the Environmental Review Process determination.
- CDBG-Regional Account 2021-Pavement Assessment Project: Bowman Consulting has been issued a notice to proceed to conduct the study.

Adjournment: Meeting adjourned at approximately 3:42 p.m.

**Members of the Clifton Town Council may attend either in person or by telephone, video, internet conferencing.*