

Minutes
Town of Clifton
Town Council Regular Meeting
August 12, 2021
2:04 P.M.

Members Present

Mayor Luis Montoya

Vice-Mayor Laura Dorrell

Council member Anthony James

Council member Ray Lorenzo

Council member B. Waddell Reyes

Council member Ray West*

Council member, Karen Crump-Frye

*Excused

Quorum Present

Call to Order: The meeting was called to order by Vice-Mayor Laura Dorrell at approximately 2:04 p.m. followed by the Pledge of Allegiance.

Mayor Luis Montoya requested that Council observe a moment of silence due the recent loss of a 4 year old girl who was a victim of the recent flooding in Pima, Arizona.

Call To the Public: First to address the Council was Richard Hanson, owner of Bighorn Manor. He stated that he has submitted a request for funding assistance to the town's American Relief Plan Act Committee.

Danny Cervantez provided information on the Quinn Street retaining wall project.

Robert Chilicky, former resident of the area and local historian offered his assistance regarding the Chase Creek Street Lighting.

Council Reports: Council member B. Waddell Reyes thanks Mr. Chilicky for his offer to assist the town.

Vice-Mayor Laura Dorrell reported that she had attended the recent Legislative Update held in Safford sponsored by the League of Arizona Cities and Towns. She provided information related to Covid-19 Vaccination Clinics provided by Gila Health Resources. Additionally, the Vice-Mayor mentioned upcoming events to include the Riverside Clean Up and activities celebrating Hispanic Heritage Month to be held in Safford.

Council member Lorenzo extended his appreciation to the town's Public Works Department for their efforts to continue with monsoon storm cleanup.

Council member Crump-Frye reported on activities currently being discussed by the local tourism council.

Council member James reported on the recent Vaccination Incentive Program officered to Freeport McMoRan employees.

Mayor Montoya informed Council that he had extended support to the Town of Miami in their recent flood recovery efforts. Noted that the Quinn Street project is progressing and should be completed soon; explained that efforts to repair the leaking roof and drainage issues at the Community Center are being addressed and informed Council that the Town will be co-hosting the quarterly Executive Board Meeting to be held at the Clifton Hotel. The Mayor also provided information on the proposed American Rescue Plan Act (ARPA) Vaccination Incentive Program for Clifton residents.

Consent Agenda: Motion was made by Vice-Mayor Laura Dorrell to approve the following items listed under consent agenda:

1. Approval of the July 8, 2021 Regular Meeting Minutes and June 23, 2021 Special Session Minutes.
2. Receive Department Reports.
3. Approval of July 2021 Demands.
4. Approval to accept Berta Manuz's resignation as a member of the Town of Clifton Municipal Property Corporation.

Second to the motion was made by Council member Ray Lorenzo.

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

Public Hearing on the FY 2022 Budget for the Town of Clifton: Mayor Montoya opened the Public Hearing and invited those present to comment or ask questions regarding the proposed budget. He explained that the budget document had been published in the Copper Era Newspaper and is also available on the town's website. This year's budget total is \$9,780,289.

No comments were received and the Public Hearing was closed at approximately 2:38 p.m.

New Business

Discussion and/or action to adopt the Primary Property Tax Levy for FY 2021-2022 pursuant to A.R.S. §42-17107(A) 4: Town Manager, Rudy Perez explained that the proposed tax rate of 4.1155 will levy approximately \$549,000. This tax rate does NOT require the town to implement the Truth in Taxation notification process.

Motion to adopt the primary property tax levy at 4.1155 for FY 2022 for the Town of Clifton was made by Council member B. Waddell Reyes. Second to the motion was made by Vice-Mayor Laura Dorrell.

Voting in favor of the motion were Council members' Reyes, Dorrell, James, Crump-Frye, Lorenzo and Montoya. Council member West was absent.

Motion carried.

Discussion and/or action to adopt a Resolution No. 2021-07: Adoption of the Budget for FY 2021-2022: Vice-Mayor Dorrell made a motion to adopt Resolution No. 2021-07 with additional stipulation that the effective date for pay rate increases and COLA's become effective July 31, 2021. Second to the motion was made by Council member Anthony James.

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

Discussion and/or action to authorize the Mayor to execute the Bridging Agreement between the Town of Clifton and KE&G Construction, Inc.: Mayor Montoya recalled that due to the over bids received in the original bids for the construction of the town's wastewater treatment plant, the Town Manager and Town Engineer recommended pursuing an alternative delivery method. The alternative method, a Job Order Contract (JOC) previously bid and under contract with the City of Yuma, allows the town to piggyback off of this contract. The town's legal counsel has reviewed the Job Order Contract to assure it is in compliance with the State of Arizona's Procurement requirements.

Attending via telephone conference call was Town Attorney, Trish Stuhan. Ms. Stuhan explained that she had reviewed the City of Yuma Contract with KE&G for the JOC and found the agreement to be in compliance with the state's procurement requirements. She explained that in order to "link" the Town of Clifton to this agreement, she is recommending a Bridging Agreement.

Town Manager, Rudy Perez requested that the Council would need to consider establishing a statutory maximum as required by Arizona Revised Statutes. The Town Engineer together with KE&G's representative, John Warner have no issue with establishing the statutory maximum at \$1,000,000.00

Motion to authorize the Mayor to execute the Bridging Agreement between the Town of Clifton and KE&G Construction, Inc. was made by Council member Karen Crump-Frye, second to the motion was made by Council member B. Waddell Reyes.

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

Discussion and/or action regarding the Maximum Dollar Amount pursuant to the Bridging Agreement between the Town of Clifton and KE&G, Inc. for preconstruction and construction services for the Wastewater Treatment Plant: Town Manager, Rudy Perez explained that Council needs to determine the maximum dollar amount for preconstruction and construction services for the Wastewater Treatment Plant. The total amount of funding available is \$3,175,500.00 as provided by the Water Infrastructure Finance Authority (WIFA). Council could set aside \$140,000.00 in a contingency fund and establish \$3,035,500.00 as the maximum dollar amount for preconstruction and construction services.

Motion by Mayor Luis Montoya to set the maximum dollar amount pursuant to the Bridging Agreement between the Town of Clifton and KE&G, Inc. for preconstruction and construction services for the Wastewater Treatment Plant at \$3,035,500.00 and reserve \$140,000.00 in a contingency fund. Second to the motion was made by Council member B. Waddell Reyes.

Voting in favor of the motion were Councilmembers' Montoya, Reyes, Lorenzo, James, Dorrell and Crump-Frye. Motion carried.

Discussion and/or action to appoint the following individuals to serve on town committees:

- a. **American Rescue Plan Act (ARPA) Committee: Brian Boling, Jon Antonson, Janeene Carrillo and Larry Avila:** Mayor Montoya explained that he had previously appointed Vice-Mayor Dorrell and Council member James to serve on the committee. They in

turn have recommended Mr. Boling, Mr. Antonson, Ms. Carrillo and Mr. Avila to participate in this committee.

Motion to approve the appointment of the listed individuals to service on the town's ARPA Committee was made by Vice-Mayor Laura Dorrell. Second to the motion was made by Council member Anthony James.

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

- b. Planning and Zoning/Board of Adjustment: Sarah Camacho:** Town Clerk, Espie Castaneda reported that Ms. Camacho has expressed interest in participating on this Board.

Motion to approve the appointment of Ms. Sarah Camacho to serve on the Planning and Zoning/Board of Adjustment was made by Vice-Mayor Laura Dorrell. Second to the motion was made by Council member Ray Lorenzo.

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

- c. Town of Clifton Municipal Property Corporation: (Council member):** Town Clerk, Espie Castaneda explained that in order for the town's municipal property corporation to be covered under the town's general liability insurance, a member of the town council should serve as a board member.

Motion was made by Mayor Luis Montoya to appoint Council member Karen Crump-Frye to serve on the MPC. Second to the motion was made by Vice Mayor Laura Dorrell.

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

Discussion and/or action to approve the recommendation of the American Rescue Plan Act (ARPA) Funds Committee to use ARPA funds for a COVID-19 Vaccination Incentive Program:

Co-Chair, Laura Dorrell explained that the committee was unanimously in favor implementing a Vaccination Incentive Program for Clifton residents due to the current surge in positive cases. The committee hopes to encourage those individuals who have not yet been vaccinated to get it done. The plan allocates \$10,000 to cover 200 eligible participants to receive a \$50 cash incentive once they provide proof of full vaccination status. She stated that the timing couldn't be better now that the local clinic has the Pfizer vaccine which is now available to 12 to 18 years of age. A group that has not been eligible. Council member Dorrell explained that this project falls within the intent of the funding.

Motion to approve the recommendation of the ARPA Funds Committee to use these funds for a COVID-19 Vaccination Incentive Program was made by Council member Karen Crump-Frye. Second to the motion was made by Council member Ray Lorenzo.

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

Discussion and/or action to approve Resolution No. 2021-08: A Resolution of the Common Council of the Town of Clifton, Greenlee County, Arizona, adopting a policy and prescribing procedures for purchasing from the mayor and any member of the council: Motion to approve Resolution No. 2021-08 was made by Vice-Mayor Dorrell. Second to the motion was made by Council member Reyes.

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

Discussion and/or action to authorize the promotion of Wreaths Across America at Ward Canyon Cemetery: Town Clerk Espie Castaneda explained that the organization had contacted the town to determine whether this program might be promoted locally. The organizer has local family and would like to set up a local chapter in our area. Wreaths Across America is a nationwide organization. The program entails anyone interested in sponsoring a holiday wreath for a veteran's burial site.

Motion to authorize Wreaths Across America to promote their program at the Ward Canyon Cemetery for 1 year was made by Mayor Luis Montoya. Second to the motion was made by Council member Crump-Frye.

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

Discussion and/or action to require the Town to obtain a certificate of appropriateness from the Historic Preservation Commission for the installation of light poles and light fixtures on Chase Creek Street: Council member Reyes explained that it has been the town's practice to obtain a certificate of appropriateness for town properties that are in the historic district. She further explained that she feels this process is important to sustain the town's historic properties regardless if town owned or not.

Town Attorney, Trish Stuhan explained that although it has been the town's practice to obtain a certificate of appropriateness it is not legally required. She explained that this is a policy decision.

After a lengthy discussion on the matter, Mayor Montoya stated that in his opinion the Chase Creek Street Lighting Project has been detained too long and the town must move forward in order to have the hardware ready to be installed. He added that he does not want to delay the procurement process any longer.

After a lengthy discuss, Mayor Luis Montoya made a motion that a certificate of appropriateness NOT be required for the installation of light poles and light fixtures on Chase Creek Street. Second to the motion was made by Council member Ray Lorenzo.

Voting in favor of the motion were Council members' Montoya, Lorenzo, Dorrell, James and Crump-Frye. Opposing the motion was Council member Reyes.

Motion carried.

Manager's Report: Town Manager Rudy Perez provided an update on recent activities to include:

- ✓ Progress on the Quinn Street Retaining Wall. Stated that the foundation has been poured, walls have been reinforced and the project appears to be on track for completion by September 1st.
- ✓ Informed Council that Circle K Corporation has obtained a building permit to repair/renovate the existing facility and reopen for business until a new store is built.
- ✓ Extended his appreciation to Public Works Director, Victor Stacy for offering to help with the cleanup effort after the unfortunate flooding in Miami, Arizona.

Adjournment: Meeting adjourned at approximately 4:14 p.m.