

**Minutes
Town of Clifton
Regular Town Council Meeting
February 8, 2018
7:00 P.M.**

Members Present

Felix Callicotte, Mayor*
Luis Montoya, Vice Mayor
Barbara Ahmann, Councilmember*
Laura Dorrell, Councilmember
Ray Lorenzo, Councilmember
B. Waddell Reyes, Councilmember
Ray West, Councilmember

*Excused

A quorum was present.

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

Town Manager, Ian McGaughey provided an update on Mayor Callicotte's health condition. He explained that he has been admitted to Mt. Graham Regional Medical Hospital.

Call to the Public: Daniel Cervantez commended local emergency personnel for their support of the local high school athletics achievements by providing an escort as the teams traveled out of town.

Greenlee County Sheriff, Tim Sumner encouraged members of the Town Council to participate in the online survey to offer community feedback on the department's performance under his administration.

Public Hearing – CDBG 2018 Regional Account Funding Grant: Town Manager, Ian McGaughey reported that this was the second public hearing as required in the grant application process. He explained that during the first public hearing, members of the public offered suggestions and recommendations on potential projects. Mr. McGaughey explained that although many suggestions had been presented, the town had committed to utilize this round of funding towards the town's Wastewater Treatment Plant under the conditions of accepting the 2016 State Special Projects Funds for Engineering and Design of the facility. The project will address improving the current "parshall flume" which measures waste water inflow.

Daniel Cervantez commented on project #2: sidewalks and lighting as noted on the public hearing notice and suggested that this project would be well received by community neighborhoods.

There being no further comments on the matter, the public hearing was closed at approximately 7:20 p.m.

Vice-Mayor Montoya noted that the executive session would be considered towards the end of the agenda.

Council Reports: Councilmember Dorrell informed the Council of the forthcoming Health & Science Fair scheduled for April 21, 2018. Time of the event is set to begin at 10:00 a.m.

Councilmember Lorenzo provided a brief report on the slow but steady progress being made by the Roads/Streets Committee.

Councilmember Reyes encouraged Council to tour the McCormick-Stillman Railroad Park in Scottsdale, Arizona which is a replica of the town's train station.

Vice-Mayor Montoya express congratulations to Councilmember Lorenzo and his wife Josie for celebrating their 50th wedding anniversary.

Consent Agenda: Motion to approve the following items listed on the Consent Agenda was made by Councilmember B. Waddell Reyes:

1. Approval of the January 11, 2018 Regular Meeting Minutes;
2. Receive Department Reports;
3. Approval of January 2017 Demands.

Second to the motion was made by Councilmember Lorenzo. Motion carried.

New Business

Second Reading of Ordinance No. 01-2018: Amending Chapter 112 Telecommunications, Section 112.01 Definitions by amending the definitions of "facilities" and "telecommunications" and Amending section 112.02 License required, subsection (a), and by adding new Chapter 113 Wireless Facilities in the Right-of-Way; Microcell Equipment all related to the use of the public right-of-way in the town by wireless providers and to entities with microcell equipment on strands in the town; providing for repeal of conflicting ordinances; providing for severability; and providing for penalties: The title of the ordinance was read by the Clerk as required in the ordinance adoption process.

Discussion and/or action to adopt Ordinance No. 01-2018: Motion to adopt Ordinance No. 01-2018 was made by Councilmember Ray West. Second to the motion was made by Councilmember Laura Dorrell. Motion carried.

Discussion and/or action to adopt the following documents as required by Ordinance No. 01-2018: Mr. McGaughey explained that the following supplemental documents are referred to in the ordinance and each should be considered for approval.

a. Design Standards, Concepts And Requirements Wireless Facilities In The Right-Of-Way: Councilmember Dorrell made the motion to adopt the Design Standards, Concepts and Requirements Wireless Facilities in the Right-Of-Way as presented. Second to the motion was made by Councilmember Ray West. Motion carried.

b. Wireless Facilities In The Right-Of-Way Standard Terms And Conditions: The Town Manager informed the Council that he realized after the informational meeting packet had been issued, a section of this document had not been included.

Motion to table approval of the Wireless Facilities In the Right-Of-Way Standard Terms and Conditions until a final document is available was made by Councilmember B. Waddell Reyes. Second to the motion was made by Councilmember Ray Lorenzo. Motion carried.

Discussion and/or action to authorize funds from the Mayor & Council's Contingency Funds to purchase a computer server as requested by the Clifton Police Department: Police Chief, Omar Negrete and Administrative Assistant, Delfina Pilgrim provided information on the request. They

explained that the current computer hardware does not have the capacity to store video/audio media as required by the town's records retention requirements. They further explained that officers are now required to wear recording hardware to document their activities while on duty.

The estimate provided to purchase the necessary equipment and labor to accommodate adequate storage of these records was \$3,745.

Councilmember West urged all departments to include these types of purchases in their budget requests.

Motion to authorize funds from the Mayor and Council's Contingency Funds to purchase a computer server as requested was made by Councilmember Ray West. Second to the motion was made by Councilmember B. Waddell Reyes. Motion carried.

Discussion and/or action relating to an easement for tractor trailer parking as requested by Freeport McMoRan (FMI): Mr. McGaughey explained that the town has been approached by FMI representatives to explore the possibility to temporarily relocate semi-trailer trucks who normally park on the parking lot across Conoco to FMI owned property along Riverside Dr. The temporary parking lot will be necessary to accommodate these large trucks for the duration of the forthcoming intersection upgrade in that area as proposed by the Arizona Department of Transportation. The extensive project is expected to last for approximately 8 months. Tentative construction dates are April through December 2018.

Bill Cuthbertson, FMI Sr. Resource Analyst, Land & Water, was present to review the proposed parking lot layout on Riverside Dr. The conceptual drawing allocates 26 spaces and Mr. Cuthbertson assured the Council that no hazardous waste trucks would be allowed to park on the lot. He explained that in order for this plan to work FMI would need to obtain an easement from the town since it owns the adjacent property.

Councilmember questions included how the parking lot would be constructed and what the anticipated number of occupied spaces would be on a daily basis. Mr. Cuthbertson replied that he was not sure what materials if any would be used to develop the temporary parking lot but he assured the Council that FMI would police and maintain the area so not to create a public nuisance. In closing, Mr. Cuthbertson stated that FMI would prepare the easement document for Council's review and future consideration.

First Reading of Ordinance No. 02-2018: Amending Title XI Business Regulation by Adopting a new Chapter 113 Automated Kiosks relating to the regulation of automated kiosks; setting forth definitions; providing for licensing and reporting requirements; establishing storage conditions; imposing a fee schedule; providing for appeals; providing for repeal of conflicting ordinances; providing for severability; and providing penalties: The Town Clerk read the title of the ordinance as required in the ordinance adoption process.

Town Manager, Ian McGaughey explained that this ordinance was modeled by the League of Arizona Cities and Towns to regulate automated kiosks that offer payment for recycling of consumer electronic devices. He reported that there was one area of concern presented by law enforcement officials relating to the storage location of these electronic devices and chain of custody which has been addressed in the verbiage of the ordinance as well as certain requirements to maintain the condition of the device and for the device to be returned to police if requested as part of an investigation.

Members of the Council suggested that Chief Negrete might seek input from other departments regarding this type of kiosk.

Discussion and/or action to award the bid for the Waste Water Treatment Plant Planning & Collection System Improvements Engineering and authorize the Town Manager to negotiate a contract: Mr. McGaughey reported that one bid had been submitted for the engineering services. The proposal was received from Bowman Consulting. Additionally, he is also asking for authorize to negotiate the contract which will then be presented to the Council for their approval.

Motion to award the bid for the Waste Water Treatment Plant Planning & Collection System Improvements Engineering and authorize the Town Manager to negotiate a contract was made by Councilmember Ray West. Second to the motion was made by Councilmember Laura Dorrell. Motion carried.

Discussion and/or action to award the bid for the town's General Plan Consultant and authorize the Mayor to execute the contract upon acceptance by the successful bidder: Town Manager, Ian McGaughey explained that the funding for this project has been secured through grant funding from Freeport McMoran Community Investment Funds. He continued to explain that three proposals had been submitted for consideration and were reviewed by a committee comprised of Luis Montoya, Harold Dominguez and himself. After an extensive review, the committee recommends the Planning Center as the consultant. Their cost proposal included all 8 components required in the bid document vs. the other proposals were offered as options or additional fees.

Councilmember Laura Dorrell made the motion to award the bid to the Planning Center in the amount of \$88,914.48. Second to the motion was made by Councilmember B. Waddell Reyes. Motion carried.

Discussion and/or action to authorize the following Resolutions related to the CDBG 2018 Regional Account Funding Grant:

- a. **Approval of Resolution No. 2018-01: Authorizing the Submission of an application for FY2018 State Community Development Block Grant Funds:** Motion to approve Resolution No. 2018-01 was made by Councilmember B. Waddell Reyes, second to the motion was made by Councilmember Ray Lorenzo. Motion carried.
- b. **Approval of Resolution No. 2018-02: Adopting a residential anti-displacement and relocation assistance plan for FY 2018 as required under section 104(d) of the Housing and Community Development Act of 1974 as amended:** Councilmember Ray West made a motion to approve Resolution No. 2018-02. Second to the motion was made by Councilmember Laura Dorrell. Motion carried.

Discussion and/or action to authorize the Mayor to execute the Funding Agreement between the Town of Clifton and the Arizona Department of Housing for FY 2017 CDBG RA Funds for the Community Center ADA Improvements: Town Manager McGaughey explained that this agreement will allow the town to move forward with the project which focuses on the upper floor of the Community Center.

Motion to authorize the Mayor to execute the Funding Agreement was made by Councilmember Dorrell. Second to the motion was made by Councilmember Reyes. Motion carried.

Discussion and/or action to sponsor a table for the Greenlee County Chamber of Commerce Annual Dinner: Mr. McGaughey explained that the event is scheduled for Wednesday, February 28th and recommends that the town sponsor a table which reserves 8 seats at a cost of \$400.

Vice-Mayor Montoya made a motion to authorize the \$400 to sponsor a table for the Greenlee County Chamber of Commerce Annual Dinner with participant selection to be determined later. Second to the motion was made by Councilmember Reyes. Motion carried.

Executive Session Pursuant to A.R.S. §38-431.03 A. (7) Discussion with the Town Manager to consider and instruct him regarding the sale of town property on Chase Creek Street: At approximately 8:45 p.m. Councilmember West made a motion to convene into executive session. Second to the motion was made by Councilmember Reyes. Motion carried.

At approximately 8:55 p.m. Councilmember West made a motion to reconvene into regular session. Second to the motion was made by Councilmember Reyes. Motion carried.

Discussion and/or action regarding sale of town property on Chase Creek Street: Councilmember Ray West made a motion to authorize the Town Manager to initiate the auction of town property identified as 234 Chase Creek Street and 236 Chase Creek Street. Second to the motion was made by Councilmember Ray Lorenzo. Motion carried.

Manager's Report: Mr. McGaughey reported on the following activities and projects:

- Continues working on securing grant funding for the Waste Water Treatment Plant and Collection System from USDA-RD and EDA. Reported that the WWTP land is owned by FMI and is a concern to the funding sources.
- Reported on a recent issue at the Ward Canyon Lift Station where the protective motor housing unit apparently cracked which resulted in water flooding the pump. The protective unit has been repaired.
- Local Veterans continue their work on park improvements.
- Fernandez Park ADA Park improvements project as funded by a Cenpatico Grant has been finalized.
- Informed the Council of recent notification by the Greenlee County Treasurer that the town was overpaid property taxes in the amount of \$11,723 due to misclassification of property that is not within the town boundary.
- Noted that the FY19 Budget Forms have been distributed to all departments with a submittal deadline of March 8, 2018.
- Commended Town Employee, Angel Maldonado for taking the initiative to act on her own to move large rocks on the road which could have caused a traffic safety issue.

Adjournment: Motion to adjourn was made by Councilmember Ray West. Second to the motion was made by Councilmember Ray Lorenzo. Motion carried. Meeting adjourned at approximately 9:05 p.m.