

**Minutes
Town of Clifton
Regular Town Council Meeting
November 14, 2019
2:00 P.M.**

Members Present

Luis Montoya, Mayor*
Barbara Ahmann, Vice-Mayor*
Laura Dorrell, Council Member
John Freida, Council Member
Ray Lorenzo, Council Member
B. Waddell Reyes, Council Member
Ray West, Council Member

*Excused

A quorum was present.

Also participating via telephone was the Town Attorney, Susan Goodwin.

Call to order: Due to the absence of the Mayor and Vice-Mayor, Town Clerk Espie Castaneda called the meeting to order followed by the Pledge of Allegiance.

The Town Clerk called for a motion from the Council to appoint a Mayor Pro Tem to conduct today's meeting.

Council member Ray West made a motion to appoint Council member Laura Dorrell as Mayor Pro Tem. Second to the motion was made by Council member B. Waddell Reyes.

Voting in favor the motion were: Council members' West, Reyes, Freida, Lorenzo and Dorrell. Motion carried.

Mayor Pro Tem Dorrell was appointed to chair the remainder of the meeting.

Call to the Public: Local resident, Daniel Cervantez offered his appreciation to Sabrina Dumas, Librarian for her continued efforts in providing a wide variety of programs at the library.

Leslie Ray informed the Council on the recent Red Cross Blood Drive event. She explained that due to unexpected circumstances the location for the recent event had to be changed from the American Legion to the town's Community Center. She presented a certificate of appreciation to the town for accommodating the change in location.

Akos Kovach, Greenlee County Economic Development Coordinator, briefed Council on the following: Continued joint efforts between Town of Clifton, Town of Duncan and Greenlee County regarding Census 2020 and Growing interest on the Clifton Hill Climb.

Council Reports:

Council member B. Waddell Reyes noted that the farmers market will be available on a weekly basis once again. Was glad to the town represented in the 1st annual Halloween Festival and noted that the annual Safehouse Event Light the Night was a success.

Mayor Pro Tem Dorrell reported on the forthcoming San Francisco River cleanup sponsored by the Gila Watershed.

No other reports were offered at this time.

Consent Agenda: Council member John Freida made a motion to approve the following items as listed under the Consent Agenda:

1. Approval of the October 10, 2019 Regular Meeting Minutes;
2. Receive Department Reports;
3. Approval of October 2019 Demands.

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

Voting in favor of the motion were Council members Freida, West, Lorenzo, Reyes and Dorrell. Motion carried.

Old Business:

Discussion and/or action to award the bid for CDBG Contract #116-18: Construction Phase of the Removal of Architectural Barriers at the town's Community Center: Motion to continue to table this item was made by Council member Reyes. Second to the motion was made by Council member West.

Voting in favor of the motion were Council members Reyes, West, Lorenzo, Freida and Dorrell. Motion carried

New Business:

First Reading of Ordinance No. 04-2019: An Ordinance Of The Common Council Of The Town Of Clifton, Arizona, Declaring The Document Entitled "Town Of Clifton Right-Of-Way Regulatory Ordinance Dated December 12, 2019" As A Public Record; Adopting The "Town Of Clifton Right-Of-Way Regulatory Ordinance Dated December 12, 2019", Amending The Town Of Clifton Town Code By Adding New Chapter 52 Construction Within Public Rights-Of-Way; Location And Relocation Of Facilities In Public Rights-Of-Way Related To Regulation Of The Construction In The Public Rights-Of-Way In The Town And Setting Forth Requirements For Permit Applications And Work In The Public Right-Of-Way; Providing For Repeal Of Conflicting Ordinances; Providing For Severability; And Providing Penalties.: The title of the ordinance was read as the first reading by Mayor Pro Tem Dorrell as required in the ordinance adoption process.

Town Attorney Susan Goodwin provided information on the proposed ordinance. She explained that currently the town code does not have a section specifically covering right-of-way regulations in general and recommends that this ordinance should be added and will be a new chapter.

First Reading of Ordinance No. 05-2019: An Ordinance Of The Common Council Of The Town Of Clifton, Arizona, Amending The Code Of Clifton, Arizona, Title Xi Business Regulations, By Adopting A New Chapter 115 Video Services Relating To The Regulation Of Video Service By The Town And The Licensing Of Video Service Providers In The Town; Establishing A Purpose; Setting Forth Definitions; Providing For License Requirements; Imposing Fees; Setting Forth Violations; And Establishing An Effective Date: The title of the ordinance was read as the first reading by Mayor Pro Tem Dorrell as required in the ordinance adoption process.

Town Attorney, Susan Goodwin provided information on recent changes to Arizona Statute related to cable services vs. video services. She further stated that the statute is complicated and recommends simplifying by the requirements in the presented ordinance format.

Discussion and/or action to approve the Notice of Intent to Establish New License Fee for Video Service Providers Pursuant to A.R.S. § 9-499.15: Town Attorney, Susan Goodwin also explained that the Video Services Regulations also require the implementation of fees for these services. Prior to the establishment of any fees, a notice of intent must be published in the local newspaper and posted on the town's website.

Motion to approve the Notice of Intent to Establish a New License Fee for Video Service Providers as presented was made by Council member John Freida. Second to the motion was made by Council member B. Waddell Reyes.

Voting in favor of the motion were Council members Freida, Reyes, West, Lorenzo and Dorrell. Motion carried.

Discussion and/or action to approve \$270,105.00 of HURF Funds for the Zorilla St. Bridge Project: Town Manager, Rudy Perez explained that the procurement process for this project has been handled by ADOT. He reported that this is the second round of advertising for a contractor. He explained that he was notified by ADOT that the bid proposal submitted was \$270,105.00 over the available funding.

Therefore, per the agreement with ADOT, this excess amount will be the responsibility of the town. If approved, Highway User Revenue Funds have sufficient funds to cover the cost.

Members of the Council expressed concern that the initial reason for the re-bid of the Zorilla St. Bridge Project was to modify the scope of work involving the lead-based paint. Mr. Perez noted

that the removal of lead-based paint is still included in the scope of work. Additional concern was the possibility of project change orders which could increase the town's commitment.

Motion to table the item until the Town Manager clarifies with ADOT whether the town is solely responsible for the potential cost of change orders of this project was made by Council member Ray West. Second to the motion was made by Council member John Freida.

Voting in favor of the motion were Council members West, Freida, Lorenzo, Reyes and Dorrell.

Motion carried.

Discussion and/or action to ratify the emergency purchase of electrical services for the Festival of Lights Event in accordance with Title III, Chapter 33.06 Emergency Purchases; Clifton Town Code: Town Manager, Rudy Perez explained the situation that prompted the emergency purchase of electrical services. He further explained that the town had been notified a short time ago that the electrician who volunteered his services would no longer be available due to health issues. Due to timing constraints, the town immediately initiated quotes from two licensed and bonded electricians to secure the service. After reviewing the quotes, a decision was made to offer the job to E.A. Electric in the amount of \$10,800.

Motion to ratify the emergency purchase of electrical services for the Festival of Lights Event in accordance with Title III, Chapter 33.06 Emergency Purchases; Clifton Town Code was made by John Freida. Second to the motion was made by Council member Ray West.

Voting in favor of the motion were Council members Freida, West, Lorenzo, Reyes and Dorrell. Motion carried.

Review and comments on the Chase Creek Tomorrow Lighting Project Construction

Documents and Plans: Town Manager, Rudy Perez noted that all members of the Council have been issued the Chase Creek Tomorrow Lighting Project Construction Documents and Plans for their review and comment. He provided a comment period deadline of November 18th.

Mr. Perez reported that the Town Engineer recommends that the town consider upgrading the sewer connections while Morenci Water & Electric have their utility lines exposed. This would increase the project cost estimate. He also informed Council of concerns expressed by the town's Public Works Director, Jerry Valenzuela, relating to disturbing the aging sewer connections during construction. Of particular concern is the type of material that was used up through 1970, most likely Orangeburg pipe.

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

- Noted the comment deadline for General Plan Comments as November 21, 2019
- Reported that a conference call between the town and USDA-RD has been scheduled for November 19, 2019
- Informed the Council of the receipt of the Freeport McMoRan Local Grant Funding Award in the amount of \$5,000 towards the upgrading of the electrical work for the Festival of Lights.
- Extended his thanks and appreciation to Emily Muteb for her support to the Town of Clifton and wished her well as she moves on to a new job assignment.

Adjournment: Motion to adjourn was made by Council member Ray West, seconded by Council member Ray Lorenzo. Motion carried.

Meeting adjourned at approximately 3:21 p.m.