

Minutes
Town of Clifton
Regular Town Council Meeting
October 8, 2015
7:01 P.M.

Members Present

Felix Callicotte, Mayor
Luis Montoya, Vice Mayor
Barbara Ahmann, Council Member
Ray Lorenzo, Council Member*
Roy Tyler, Council Member
B. Waddell Reyes, Council Member
Ray West, Council Member

*Absent

A quorum was present.

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

Call to the Public: Danny Cervantez commended the town for their prompt response to recent storm damage clean-up around town. Also mentioned the recent levee gate closure drill was a success.

Council Reports: Vice-Mayor Luis Montoya requested a status on the Shannon Road Improvement Project, suggested that the council resume working on the 5 year strategic plan and asked that staff move forward with the procurement process of the town code codification as planned in the budget.

Council member Ray West provided invitations to members of the Council to the Colors of Copper Reception and provided event details of the event scheduled for November 7 and 8, 2015. Council member West also mentioned the Greenlee County Poker Run fund raising event scheduled for October 24, 2015.

Council member B. Waddell Reyes mentioned that the Historic Preservation Commission is still working on the ordinance updates.

Consent Agenda: Motion to accept the following items listed under consent agenda was made by Council member Ray West, second to the motion was made by Council member B. Waddell Reyes:

1. Approval of the September 10, 2015 Regular Meeting Minutes;
2. Receive Department Reports;
3. Approval of September 2015 Demands.

Under discussion, Vice-Mayor Montoya requested additional information regarding delinquent sewer service accounts as reported by Diana Garrity, Code Enforcement Officer.

Ms. Garrity explained that recently one of the property owners had rented the property out while still owing service fees, however the new renter has established an account on his own thus halting any further enforcement action against the property owner whose account is delinquent. She further reported that the additional delinquent account resulted in the property owner filing a “Quit Claim” deed on said property to a relative. The new owner will now be required to establish an account and the town hopes that the previous owner will continue to make payments on his delinquent account, but his recent actions make collection more difficult.

Old Business

Discussion and/or action to appoint members to the town’s personnel committee: Town Manager, Ian McGaughey provided a list of names of individuals interested in participating in the committee. The interested individuals include Mayor Felix Callicotte, Parks Director Tony Ortega, Court Clerk Amanda Severin, Erin Rios, Public Works Administrative Assistant and Bobby Pollock Volunteer Firefighter/Member of public. Magistrate John Basteen was offered to serve as an alternate.

Council member Ahmann made a motion to appoint the recommended individuals. Second to the motion was made by Council member Roy Tyler. Motion carried.

Discussion and/or action amend Personnel Policy; Rule XX.; Reimbursable Expenses: Mr. McGaughey reported that he had inquired on whether the town was required to adopt the state’s travel policy as questioned during the last meeting. He reported that there is no mandate.

Vice-Mayor Montoya made a motion to continue utilizing the town’s current mileage rate of .47; continue the daily meal allowance of \$50.00 and authorize the US General Services Administration hotel rates which vary according to location. Second to the motion was made by Council member Roy Tyler. Motion carried.

New Business

Discussion regarding the Clifton House LLC.: Town Manager, Ian McGaughey reported that he had contacted Mr. Ray regarding the current condition of the quickly deteriorating building and received an email from Mr. Ray addressing his plans to remove debris around the building. He is currently making arrangements with his structural engineer to visit the property again to determine how best to support and brace the south side of the building to preserve it as is.

The consensus of the members of the council was their continued concern regarding the further deterioration and safety of the property and their displeasure with Mr. Ray’s progress regarding his restoration plans and directed the Town Manager to contact the town’s legal counsel and proceed with any action necessary to secure the property.

Discussion regarding the proposed Access Easement between the Town of Clifton and Lex Harrington representing Go-Go Gas.: The Town Manager reported that Mr. Harrington has requested permission to lease the town’s property on Riverside Drive directly behind the Go-Go Gas Station. Upon Mr. Harrington’s request, Mr. McGaughey had contacted the town’s attorneys for guidance. The attorneys have additional concerns for consideration to include establishing an access easement vs. leasing the property and addressing the “gift clause” where the town should consider incorporating a fee or a requirement where Mr. Harrington could make an improvement of value to the property.

Additionally, Mr. McGaughey explained that although he is in receipt of Mr. Harrington’s documentation requesting a “No Rise” certificate as required by the town’s floodplain ordinance for his proposed project, this is still under review by the town. Also pending is clarification and approval from the appropriate state and federal agencies relating to the property deed restrictions affecting these properties which were conveyed to the town as part of the Clifton Flood Control Project.

Mr. Harrington was present and stated that he was willing to provide landscaping for the properties to address the “gift clause”. He also stated that he was not concerned regarding the documentation submitted to obtain the “No Rise” certificate affecting the town’s floodplain.

The consensus of the council was to obtain a final opinion regarding the property deed restrictions prior to any further consideration regarding the proposed Access Easement Agreement.

Discussion and/or action to award the bid to paint the exterior of the Train Depot: Town Manager, Ian McGaughey reported that only one bid had been submitted although there were several inquiries regarding the project.

Discussion from the council included concern about the proposal exceeding the available funds allocated in the budget.

Motion to reject the bid and modify the request for proposal was made by Vice-Mayor Luis Montoya, second to the motion was made by Council member Roy Tyler. Motion carried.

Discussion and/or action to approve Resolution No. 2015-05: Revising Planning Fees to Decrease the Fee for Rezoning Properties from Residential District to a Commercial District where the Commercial Use was previously a Legal Conforming Use on the Property: Mr. McGaughey explained that recently two property owners, in different residential neighborhoods, had applied for a business license for properties with non-conforming use status. He further reported that these buildings were previously considered as legal-conforming use, but because their use has been dormant for many years, lose that status. In order for the business opportunity to move forward, the owners would have to apply to rezone their respective properties. He stated that after consulting with the town’s legal counsel, it is recommended that

the town council consider a reduced fee for special properties which were previously operational as commercial but are located within a residential district. Staff is recommending a \$200.00 fee.

The two property owners, Fidel Barajas and Joanne Vozza were present and appealed in favor of the reduced fee. Mr. Barajas said he is working toward starting up his car wash on Chase Creek Street and Mrs. Vozza reported that their business will entail a motorcycle repair shop in the building which was once the New Way Grocery Store.

Motion to approve Resolution No. 2015-05 was made by Vice-Mayor Luis Montoya, seconded by Council member Barbara Ahmann. Motion carried.

Discussion regarding Chase Creek flooding: The Town Manager reported that he had received many calls regarding the recent drainage issues resulting from recent rainstorms affecting Chase Creek Street. He and the town's engineer had visited the Lynch/Chase Creek drain and recommends sloping the drain further, however Southwest Gas will have to look at the situation also. The town engineer also provided a recommendation to install a trench drain with an estimated cost of \$25,000.00

Discussion and/or action regarding the 19th Annual Festival of Lights Event: Council member Roy Tyler made a motion to approve the request to support and utilize town resources as requested. Second to the motion was made by Council member Ray West.

Vice-Mayor Montoya and Council member B. Waddell Reyes abstained from voting due to their participation in the event.

Motion carried.

Town Manager's Report: Mr. McGaughey, provided updates and status reports on some of the projects he has been working this past month:

*Informed the Council that the current CDBG Grant deadline extension for the Shannon Hill/Vista Heights street improvements has been approved for June 30, 2016;

*Reported that the town had been evaluated by the Arizona Municipal Risk Retention Pool's Loss Control Officer and reported minimum corrective items;

*Noted that the Ward Canyon Cemetery Cleanup is scheduled beginning October 10-16;

*Mentioned that the Greenlee County Probation Officer, Letty Munoz and crew cleaned up the town's shovel display and she recommends permanently sealing the door access;

*Attended a Historic Preservation Commission meeting to review the proposed ordinance updates;

*Provided an update on his recent training opportunity in Seattle, WA regarding the Arizona City Managers Association conference;

*Reported that the annual flood gate closure drill had gone well and expressed his thanks to the town public works department for their prompt response to post rain debris cleanup around town.

Adjournment: Motion to adjourn was made by Council member B. Waddell Reyes. Second to the motion was made by Council member Roy Tyler. Motion carried.

Meeting adjourned at approximately 9:50 p.m.