MINUTES OF THE FLORENCE TOWN COUNCIL MEETING HELD ON MONDAY, APRIL 1, 2013, AT 5:30 P.M., IN THE CHAMBERS OF TOWN HALL, LOCATED AT 775 NORTH MAIN STREET, FLORENCE, ARIZONA.

CALL TO ORDER

Mayor Rankin called the meeting to order at 5:30 p.m.

ROLL CALL:

Present: Rankin, Smith, Celaya, Hawkins, Montaño, Walter, Woolridge.

ADJOURN TO EXECUTIVE SESSION

For the purpose of discussion of the public body with the Town Attorney to receive legal advice regarding draft Ordinance No. 594-13; and for discussion of pending litigation involving Ordinance No. 583-12 in accordance with A.R.S. § 38-431.03(A)(3)(4).

On motion of Councilmember Walter, seconded by Councilmember Hawkins, and carried to adjourn to Executive Session.

ADJOURN FROM EXECUTIVE SESSION

On motion of Councilmember Woolridge, seconded by Councilmember Hawkins, and carried to adjourn from Executive Session.

INVOCATION PERFORMED BY REVEREND DR. EDWARD KAVIMBA LUNGU, GRACE BIBLE REFORMED CHURCH.

Reverend Dr. Edward Kavimba Lungu, Grace Bible Reformed Church, led the invocation.

PLEDGE OF ALLEGIANCE

Vice-Mayor Smith led the Pledge of Allegiance.

CALL TO THE PUBLIC

Call to the Public for public comment on issues within the jurisdiction of the Town Council. Council rules limit public comment to three minutes. Individual Councilmembers may respond to criticism made by those commenting, may ask staff to review a matter raised or may ask that a matter be put on a future agenda. However, members of Council shall not discuss or take action on any matter during an open call to the public unless the matters are properly noticed for discussion and legal action.

Ms. Denise Kollert, Resident, provided an update on the Bountiful Basket project. She has attended two trainings, and has one more to do. She said she will fulfill the

necessary requirements and hopes to have the site open no later than the end of April, or early May 2013.

CONSENT: All items indicated by an (*) will be handled by a single vote as part of the consent agenda, unless a Councilmember or a member of the public objects at the time the agenda item is called.

***Acceptance of a $500.00 donation from Jack and Barbara Hamilton to the Police Department Donation Account to be used for family assistance.**

***Authorization to enter into a Residential Property Lease Agreement with Charles A. Montoya, for the property located at 745 South Central Avenue, Florence, Arizona, 85132.**

***Ratification of a Special Event Liquor License Application submitted by Sonoita Vineyards, for Wine Festival/Wine Fair License, being held April 4, 2013, at the Union Center for Wellness and Higher Learning, in Florence, Arizona.**

***Ratification of a Special Event Liquor License Application submitted by Wilhelm Family Vineyards, for Wine Festival/Wine Fair License, being held April 4, 2013, at the Union Center for Wellness and Higher Learning, in Florence, Arizona.**

***Authorization to approve the disposal and donation of fire hose, consisting of 16-100 foot sections of 4 inch hose, to the City of Globe Fire Department.**

***Authorization to approve the Agricultural Lease with Morning Star Farming, L.L.C., subject to final lease modifications that may be negotiated between the Town Manager and Morning Star Farming, L.L.C.**

***Approval of the Town of Florence Organization Chart dated April 1, 2013.**

On motion of Councilmember Montaño, seconded by Councilmember Walter, and carried to approve all items as written on the Consent Agenda.

UNFINISHED BUSINESS
Ordinance No. 593-13:

Ms. Lisa Garcia, Deputy Town Manager/Town Clerk, read Ordinance No. 593-13 by title only.

AN ORDINANCE OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, AMENDING THE TOWN OF FLORENCE CODE OF ORDINANCES, TITLE XV LAND USAGE, CHAPTER 150 DEVELOPMENT CODE, SECTIONS 150.031 DEFINED WORDS, 150.047 DISTRICT USE REGULATIONS TABLES (A), 150.047 DISTRICT USE REGULATIONS TABLES (B), 150.048 RURAL AGRICULTURAL (RA-10), 150.049 RURAL AGRICULTURAL (RA-4), 150.064 LIGHT INDUSTRIAL (LI) AND

150.065 HEAVY INDUSTRIAL (HI) (First Reading and Public Hearing held March 18, 2013).

On motion of Councilmember Woolridge, seconded by Vice-Mayor Smith, and carried to adopt Ordinance No. 593-13.

NEW BUSINESS

Discussion/Approval/Disapproval to award a contract to CORE Construction Inc. for design-build services for the design and construction of Fire Station #2, located at 1905 North Hunt Highway, Florence, Arizona, in the amount of $2,820,000.00.

On motion of Councilmember Walter, seconded by Councilmember Montaño, and carried to award a contract to CORE Construction Inc. for design-build services for the design and construction of Fire Station #2, located at 1905 North Hunt Highway, Florence, Arizona, in the amount of $2,820,000.00.

Ordinance No. 594-13:

Ms. Lisa Garcia, Deputy Town Manager/Town Clerk, read Ordinance No. 594-13 by title only.

AN ORDINANCE OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, RESCINDING ORDINANCE NO. 583-12 – NAUSEOUS, OFFENSIVE AND UNWHOLESOME BUSINESSES PROHIBITED, AND DECLARING AN EMERGENCY.

Mr. James E. Mannato, Town Attorney, stated Ordinance No. 583-12 was enacted on August 6, 2012. He said staff, in making the recommendation to the Council, looked at the following questions:

- Whether or not the legal implications and the potential costs and risks related to Ordinance No. 583-12 represent a good value for the Town in the expenditure of public monies related to the litigation that is currently going on?
- Whether or not you believe the Town, its residents, and the environment will be adequately protected by other developments that have taken place and are currently affecting the legal and regulatory landscape of Florence?

Mr. Mannato said the Town believes it can answer yes to the second question. Currently, Curis is waiting to see if it will receive a permit from the Arizona Department of Environmental Quality relating to a pilot test facility to be operated on its mining lease on State Trust Land. If the permit is issued to Curis, it may be appealed to the Water Quality Appeals Board. He explained the role of the Water Quality Appeals Board and what the process will entail. He said based on this, it is staff's recommendation that ordinance is not necessary to protect the public at this time.

On motion of Vice-Mayor Smith, seconded by Councilmember Celaya, and carried to adopt Ordinance No. 594-13.

CALL TO THE PUBLIC

Mr. Ruth Harrison, Resident, said National Poetry Month is in April. She read a poem, titled, Goodbye and Hello, which she wrote. She thanked the owners of Southwest Indian Jewelry and Second Hand Rose, as their businesses have contributed greatly to the quality of life over the years in Florence.

CALL TO THE COUNCIL

Councilmember Montaño invited the public to the Fishing Derby and Country Thunder. He said with regards to the closure on SH79B, he has noticed Florence Heights is being used a lot more by semi and cargo trucks. He is concerned about damage on the Town's roadways as well as the pedestrians who utilize Florence Heights to go to and from school.

Councilmember Walter said the 2013 Parks and Recreation Spring and Summer Brochure is now available. She invited everyone to attend the Fishing Derby on Friday, April 5, 2013.

Mayor Rankin said he agreed with Councilmember Montaño regarding the usage of Florence Heights Road. He said he is working with Wayne Costa, Public Works Director, on a survey that he can present to the State Transportation Board. He said the Easter Egg Hunt, hosted by the Parks and Recreation Department, was a success.

ADJOURNMENT

On motion of Councilmember Woolridge, seconded by Councilmember Montaño, and carried to adjourn the meeting at 6:36 p.m.

Tom J. Rankin, Mayor

ATTEST:

Lisa Garcia, Town Clerk

I certify that the following is a true and correct copy of the minutes of the Florence Town Council meeting held on April 1, 2013, and that the meeting was duly called to order and that a quorum was present.

Lisa Garcia, Town Clerk