

**MINUTES OF THE FLORENCE TOWN COUNCIL MEETING HELD ON MONDAY, APRIL 20, 2015, 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 5:33 p.m.

**ROLL CALL:**

Present: Rankin, Walter, Woolridge, Montañó, Hawkins, Guilin, Anderson

**ADJOURN TO EXECUTIVE SESSION**

An Executive Session will be held during the Council Meeting for legal matters pursuant to A.R.S. Section 38-431.03(A)(3) and (4) for the purpose of discussion and consultation with the Town's attorneys for legal advice and to consider the Town's position and instruct its attorneys in regard to a claim involving Johnson Utilities.

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

**ADJOURNMENT FROM EXECUTIVE SESSION**

On motion of Councilmember Montañó, seconded by Vice-Mayor Walter, and carried to adjourn from Executive Session.

**MOMENT OF SILENCE**

Mayor Rankin called for a moment of silence

**PLEDGE OF ALLEGIANCE**

Mayor Rankin 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 the 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.

**PUBLIC HEARING AND PRESENTATION**

**Public hearing on an application received from Jeffrey P. Erickson, The River Bottom Grill, located at 2501 N. Highway 79, Florence, Arizona, for a personal transfer of a new Type 6 Liquor License, and for Council recommendation for approval or disapproval of said license.**

Mayor Rankin opened the public hearing. There being no comments, Mayor Rankin closed the public hearing.

On motion of Councilmember Hawkins, seconded by Councilmember Montaño and carried to forward a favorable recommendation to the Arizona Department of Liquor Licenses and Control on the application received from Jeffrey P. Erickson, The River Bottom Grill, located at 2501 N. Highway 79, Florence, Arizona, for a personal transfer of a new Type 6 Liquor License.

**Presentation by the Greater Florence Chamber of Commerce recognizing Big Quick's BBQ as the Business of the Month.**

Mr. Jim Gilloon, Office Manager, Greater Florence Chamber of Commerce, recognized Big Quick's BBQ as the business of the month for April, 2015. He stated that Big Quick's BBQ is being recognized for their outstanding contributions to the Town going above and beyond feeding the Florence High School football team, coaches and cheerleaders during the ten week season.

Ms. Lisa Witten, owner of Big Quick's BBQ, accepted the award and stated that she appreciates the Town's support during her first year in business and that it has been a pleasure working with the various organizations, businesses and the Greater Florence Chamber of Commerce.

**CONSENT: All items on the consent agenda 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.**

- a. **Approval of Task Order No. 3 with EPS Group, Inc., for construction phase services for the Well #4 to Well #5 Transmission Main Project, in an amount not to exceed \$43,240.**
- b. **Approval of Task Order No. 4 with EPS Group, Inc., for construction phase services for the Diversion Dam Road improvements, in an amount not to exceed \$99,250.**
- c. **Acceptance of public infrastructure for maintenance within the dedicated rights-of-way for Anthem at Merrill Ranch Units 9, 22A and 22B.**
- d. **Acceptance of Katherine Kaiser's resignation for retirement as Town Magistrate, effective June 30, 2015.**

- e. **Favorable recommendation to the Arizona Department of Liquor License and Control for the Florence Lions Club's application for a Special Event Liquor License for a fundraiser to be held on April 26, 2015, at the McFarland State Park.**
- f. **Favorable recommendation to the Arizona Department of Liquor License and Control for the Greater Florence Chamber of Commerce's application for a Special Event Liquor License for their First Thursday event to be held on May 7, 2015, at the Chamber of Commerce facility.**
- g. **Ratification of emergency repair work on Well #1, completed by Coolidge Engine and Pump, LLC, in the amount of \$54,500.59.**
- h. **Resolution No. 1507-15:**

Mr. Charles A. Montoya, Town Manager, read Resolution No. 1507-15 by title only.

**A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, APPROVING THE FINAL PLAT FOR MERRILL RANCH UNIT 53; REQUIRING THE PROVISION OF AN INFRASTRUCTURE IMPROVEMENT ASSURANCE OR WITHHOLDING OF RECORDATION TO SECURE THE SATISFACTORY CONSTRUCTION, INSTALLATION AND DEDICATION OF REQUIRED IMPROVEMENTS; ESTABLISHING A DEADLINE FOR REQUIRED IMPROVEMENTS TO BE COMPLETED; AND AUTHORIZING EXECUTION BY THE TOWN MANAGER OF SUPPORTING DOCUMENTS.**

- i. **Resolution No. 1508-15:**

Mr. Charles A. Montoya, Town Manager, read Resolution No. 1508-15 by title only.

**A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, APPROVING THE FINAL PLAT FOR ANTHEM AT MERRILL RANCH UNIT 36; REQUIRING THE PROVISION OF AN INFRASTRUCTURE IMPROVEMENT ASSURANCE OR WITHHOLDING OF RECORDATION TO SECURE THE SATISFACTORY CONSTRUCTION, INSTALLATION AND DEDICATION OF REQUIRED IMPROVEMENTS; ESTABLISHING A DEADLINE FOR REQUIRED IMPROVEMENTS TO BE COMPLETED; AND AUTHORIZING EXECUTION BY THE TOWN MANAGER OF SUPPORTING DOCUMENTS.**

- j. **Resolution No. 1509-15:**

Mr. Charles A. Montoya, Town Manager, read Resolution No. 1509-15 by title only.

**A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, APPROVING THE MAP OF DEDICATION FOR CONSTITUTION WAY PHASE 2 AND NATIONAL WAY, REQUIRING THE PROVISION OF AN INFRASTRUCTURE IMPROVEMENT ASSURANCE OR WITHHOLDING OF RECORDATION TO SECURE THE SATISFACTORY CONSTRUCTION, INSTALLATION AND DEDICATION OF REQUIRED IMPROVEMENTS; ESTABLISHING A DEADLINE FOR REQUIRED IMPROVEMENTS TO BE COMPLETED; AND AUTHORIZING EXECUTION BY THE TOWN MANAGER OF SUPPORTING DOCUMENTS.**

**k. Resolution No. 1510-15:**

Mr. Charles A. Montoya, Town Manager, read Resolution No. 1510-15 by title only.

**A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, APPROVING THE MAP OF DEDICATION FOR SPIRIT LOOP PHASE 4, REQUIRING THE PROVISION OF AN INFRASTRUCTURE IMPROVEMENT ASSURANCE OR WITHHOLDING OF RECORDATION TO SECURE THE SATISFACTORY CONSTRUCTION, INSTALLATION AND DEDICATION OF REQUIRED IMPROVEMENTS; ESTABLISHING A DEADLINE FOR REQUIRED IMPROVEMENTS TO BE COMPLETED; AND AUTHORIZING EXECUTION BY THE TOWN MANAGER OF SUPPORTING DOCUMENTS.**

**l. Resolution No. 1511-15:**

Mr. Charles A. Montoya, Town Manager, read Resolution No. 1511-15 by title only.

**A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, APPROVING THE RE-SUBDIVISION OF LOTS 36-42 INCLUSIVE AND TRACT A, ANTHEM AT MERRILL RANCH PHASE 1A, UNIT 15; REQUIRING THE PROVISION OF AN INFRASTRUCTURE IMPROVEMENT ASSURANCE OR WITHHOLDING OF RECORDATION TO SECURE THE SATISFACTORY CONSTRUCTION, INSTALLATION AND DEDICATION OF REQUIRED IMPROVEMENTS; ESTABLISHING A DEADLINE FOR REQUIRED IMPROVEMENTS TO BE COMPLETED; AND AUTHORIZING EXECUTION BY THE TOWN MANAGER OF SUPPORTING DOCUMENTS.**

**m. Resolution No. 1512-15:**

Mr. Charles A. Montoya, Town Manager, read Resolution No. 1512-15 by title only.

**A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AMENDED OPERATING AGREEMENT WITH JOHNSON UTILITIES, LLC, FOR WATER AND WASTEWATER UTILITY SERVICES.**

**n. Resolution No. 1513-15:**

Mr. Charles A. Montoya, Town Manager, read Resolution No. 1513-15 by title only.

**A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AMENDED OPERATING AGREEMENT WITH SOUTHWEST ENVIRONMENTAL UTILITIES, LLC, FOR WATER AND WASTEWATER UTILITY SERVICES.**

**o. Resolution No. 1517-15:**

Mr. Charles A. Montoya, Town Manager, read Resolution No. 1517-15 by title only.

**A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, ACCEPTING NON-EXCLUSIVE PUBLIC ROAD RIGHT-OF-WAY FROM THE FLORENCE UNIFIED SCHOOL DISTRICT FOR THE WIDENING OF ADAMSVILLE ROAD AND RATIFYING EXECUTION BY THE TOWN MANAGER OF SUPPORTING DOCUMENTS.**

**p. Resolution No. 1518-15:**

Mr. Charles A. Montoya, Town Manager, read Resolution No. 1518-15 by title only.

**A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, APPROVING A REORGANIZATION OF THE PUBLIC WORKS AND UTILITIES DEPARTMENTS, CREATING A NEW TOWN ENGINEER DEPARTMENT, AND ADOPTING REVISIONS TO THE TOWN OF FLORENCE POSITION CLASSIFICATION PLAN.**

**q. Resolution No. 1519-15:**

Mr. Charles A. Montoya, Town Manager, read Resolution No. 1519-15 by title only.

**RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, AUTHORIZING THE MAYOR TO RATIFY THE STATE FORESTER'S COOPERATIVE FIRE RATE AGREEMENT AND AMENDMENTS.**

**r. Appointment of Linda Fenstermaker to the Parks and Recreation Advisory Board with a term to expire December 31, 2017.**

**s. Approval of the March 2, March 16, and March 26, 2015 Town Council minutes.**

**t. Receive and file the following board and commission minutes:**

**i. March 12, 2015 Arts and Culture Commission minutes.**

- ii. **January 28, 2015 Historic District Advisory Commission minutes.**
- iii. **February 18, 2015 Joint-Use Library Advisory Board minutes.**
- iv. **January 15 and February 5, 2015 Planning and Zoning Commission minutes.**

Mr. Charles A. Montoya stated that items 9h. through 9l. are being removed by the Town Manager and will be placed on a future agenda.

On motion of Councilmember Montaño, seconded by Vice-Mayor Walter and carried to approve the Consent Agenda, as written, with the exception of items 9h through 9l that will be reviewed at a future meeting.

## **NEW BUSINESS**

### **Resolution No. 1514-15:**

Mr. Charles Montoya, Town Manager, read Resolution No. 1514-15 by title only.

**A RESOLUTION GRANTING APPROVAL TO THE ISSUANCE OF ONE OR MORE SERIES OF THE INDUSTRIAL DEVELOPMENT AUTHORITY OF THE TOWN OF FLORENCE, INC. TAX-EXEMPT AND/OR TAXABLE EDUCATION REVENUE BONDS (ACADEMY OF MATH & SCIENCE – CAMELBACK CAMPUS PROJECT), SERIES 2015B, IN AN AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$6,700,000 TO FINANCE THE ACQUISITION, CONSTRUCTION, RENOVATION, IMPROVEMENT AND EQUIPPING OF EDUCATIONAL FACILITIES FOR ACADEMY OF MATHEMATICS AND SCIENCE, INC.**

Ms. Jennifer Evans, Management Analyst, stated that this item along with the next item on the agenda are connected and would be discussed together. She stated that the IDA was approached by the Academy of Mathematics and Science to issue, through the IDA, up to \$6,700,000 of bonds for the acquisition, construction, renovation, improvements and equipment of the land and buildings at their Camelback Road location in Phoenix, Arizona, for use as a charter school.

Ms. Evans stated that the Academy of Mathematics and Science Affiliated Network is made up of three non-profit organizations that operate two charter schools in Tucson, one charter school in Phoenix, and plans to open a second charter school, the Camelback Campus, in Phoenix, in the fall of 2015.

Ms. Evans stated that there is no liability incurred by the Town of Florence in granting its approval for the bonds and if this resolution is passed, the Florence IDA will receive a \$3,000 application fee and a yearly administrative fee of seven basis points of the outstanding balance of the issue for the life of the bonds. She stated that Mr. Bill Wilder, Council for the IDA, is present and available to answer any questions Council might have regarding the issuing of bonds and Mr. Kim Chayka, Director of Program

Development, Academy of Mathematics and Science, can answer any questions regarding the school.

On motion of Councilmember Anderson, seconded by Councilmember Woolridge, and carried to approve the issuance of one or more series of the Industrial Development Authority of the Town of Florence, Inc. Tax-Exempt and/or Taxable Education Revenue Bonds, Series 2015B, in an aggregate principal amount not to exceed \$6,700,000 to finance the acquisition, construction, renovation, improvement and equipping of educational facilities for Academy of Mathematics and Science, Inc. Camelback Campus Project.

**Resolution No. 1515-15:**

Mr. Charles A. Montoya, Town Manager, read Resolution No. 1515-15 by title only.

**A RESOLUTION GRANTING APPROVAL TO THE ISSUANCE OF ONE OR MORE SERIES OF THE INDUSTRIAL DEVELOPMENT AUTHORITY OF THE TOWN OF FLORENCE, INC. TAX-EXEMPT AND/OR TAXABLE EDUCATION REVENUE BONDS (ACADEMY OF MATH & SCIENCE – FLOWER CAMPUS PROJECT), SERIES 2015A, IN AN AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$6,700,000 TO FINANCE AND REFINANCE THE ACQUISITION, CONSTRUCTION, RENOVATION, IMPROVEMENT AND EQUIPPING OF EDUCATIONAL FACILITIES FOR ACADEMY OF MATHEMATICS AND SCIENCE SOUTH, INC.**

On motion of Councilmember Anderson, seconded by Councilmember Woolridge, and carried to approve the issuance of one or more series of the Industrial Development Authority of the Town of Florence, Inc. Tax-Exempt and/or Taxable Education Revenue Bonds, Series 2015B, in an aggregate principal amount not to exceed \$6,700,000 to finance the acquisition, construction, renovation, improvement and equipping of educational facilities for Academy of Mathematics and Science, Inc. Flower Campus Project.

Mr. Wilder stated that he appreciated Council's adoption of the bond resolutions regarding the Academy of Mathematics and Science, Inc.

**Ratification of work performed by Arizona Beeman Drilling, for drilling of Well #2, in an amount not to exceed \$434,745.**

Mr. John Mitchell, Utilities Director, stated that the drilling of Well #2 was planned to be completed, but with the uncertainty of Well #1 which was authorized for repairs at the previous Council meeting, administrative staff directed Arizona Beeman Drilling to move forward and drill Well #2. He stated that Well #1 work has been completed providing the Town with a well. He stated that Well #2 was a planned well, providing capacity to our residents north of the Gila River and is asking Council for ratification of this action.

Councilmember Anderson inquired how deep the well is.

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Mr. Mitchell stated that Well #1 is 542 feet deep and it is anticipated that Well #2 will be the same depth.

On motion of Councilmember Montaña, seconded by Vice-Mayor Walter, and carried to ratify the work performed by Arizona Beeman Drilling, for the emergency drilling of Well #2, in an amount not to exceed \$434,745.

**Discussion/Approval/Disapproval to award a contract to Visus Inc., for the construction of the Main Street Extension Project, in an amount not to exceed \$239,000.**

Mr. Mitchell stated that this is the section of Main Street that will run from Territory Square north to intersect with Highway 79. He stated the project had six companies submit bids ranging from a low of \$239,000 to a high of \$289,000. Visus Inc. was the lowest responsive and responsible bidder with the bid of \$239,000.

Councilmember Anderson inquired if the work included curbing and sidewalks.

Mr. Mitchell stated that the project does not include curbing and sidewalks as this roadway is classified as a temporary emergency roadway tying the downtown core of Florence to Highway 79. He stated that the road will go away when the master plan for Territory Square is put in place.

On motion of Councilmember Guilin, seconded by Councilmember Hawkins, and carried to award a contract to Visus Inc., for the construction of the Main Street Extension Project, in an amount not to exceed \$239,000.

**Discussion/Approval/Disapproval to award a contract to McCain Construction, for construction of the Well #4 to Well #5 Transmission Main Project, in an amount not to exceed \$683,549.**

Mr. Mitchell stated that this is a budgeted CIP project slated for construction in the May/June time frame to minimize disruption to winter visitors. He stated that the project has been designed to enhance water supply and availability to downtown Florence by providing a direct line between the new Well #4 to the Well #5 reservoir.

Mr. Mitchell stated that 13 companies bid the project which ranged from a low of \$539,296.66 to a high of \$940,614.15. The apparent lowest bidder, Tee Pee Construction requested that their bid be pulled due to costs omitted from their bid. He stated the next lowest bidder was McCain Construction, with a bid of \$683,549 and has been determined to be the lowest responsive and responsible bidder.

On motion of Councilmember Guilin, seconded by Councilmember Woolridge, and carried to award a contract to McCain Construction, for construction of the Well #4 and Well#5 Transmission Main Project, in an amount not to exceed \$683, 549.

## **MANAGER'S REPORT**

### **CALL TO THE PUBLIC**

Ms. Bruce Fenstermaker, Florence resident and member of the Planning and Zoning Commission, stated that he is concerned with the level of publication of Town issues within the Anthem Community. He stated that there are tools in place within the community to provide the members with information regarding outside businesses and events and was surprised that the HOA would not allow the Town to post information on these bulletin boards. He stated that he spoke with leaders of the HOA and was told that the rules and regulations of the HOA trump Town rules. He stated that he believes the HOA should have to submit to the Town for any signs that are placed in the right-of-ways in the community. He stated that he has requested from Community Development to see any agreements with the HOA showing agreement regarding the right-of-ways usage and had provided Council with a packet of the information regarding this topic.

Ms. Ruth Harrison, Florence resident, stated that she would like to remind the Town that Earth Day is April 22, 2015 and Arbor Day is the last Friday in April. She stated that she is concerned that there was no mention of these events in the meeting and hopes the Town will be honoring these days.

### **CALL TO THE COUNCIL**

Councilmember Anderson stated that his letter that was recently printed by the Florence Reminder was a letter from himself, not as a member of Council.

Councilmember Montaño stated that the Florence High School held their Spring Prom and Spring Court Champion Night honoring previous sport champions from prior years. He also stated that Country Thunder was awarded Festival of the Year from the Academy of Country Music and is great to have the Town associated with a nationally recognized event.

Councilmember Guilin expressed her appreciation of having her letter to the editor published in the Florence Reminder and hoped the information was read by those who have not been able to attend the informational meetings that have been held throughout the Town.

Councilmember Hawkins thanked Councilmember Anderson and Councilmember Guilin for taking the time to write letters to the editor and thought the letters were well written and informative.

Councilmember Woolridge encouraged participation in the upcoming special election, stressing the need to have everyone vote to ensure the Town can maintain its current service levels.

Vice-Mayor Walter stated that the special election is for Proposition 407, which is regarding the spending level the voters will allow the Town to have in the next fiscal year. The proposition does not raise taxes but will allow the Town to spend the money it collects if it receives a favorable vote. She stated that Council would like to hear from the public regarding the business of the Town and seeks input, positive or constructive; to ensure business is being conducted as the members believe it should.

Mayor Rankin stated that he believes the special election coming up on May 19, 2015, is one of the most important elections the Town has had in many years and encouraged everyone to vote.

#### **ADJOURN TO EXECUTIVE SESSION**

**An Executive Session will be held during the Council Meeting for legal matters pursuant to A.R.S. Section 38-431.03(A)(1) for the purpose of reviewing Town Attorney applications.**

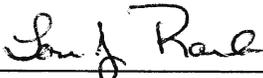
On motion of Councilmember Guilin, seconded by Councilmember Hawkins, and carried to adjourn to Executive Session.

#### **ADJOURNMENT FROM EXECUTIVE SESSION**

On motion of Vice-Mayor Walter, seconded by Councilmember Montaño, and carried to adjourn from Executive Session.

#### **ADJOURNMENT**

On motion of Councilmember Woolridge, seconded by Councilmember Anderson, and carried to adjourn the meeting at 7:05 pm.

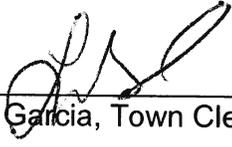


\_\_\_\_\_  
Tom J. Rankin, Mayor

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 20, 2015, and that the meeting was duly called to order and that a quorum was present.



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Lisa Garcia, Town Clerk