MINUTES OF THE FLORENCE TOWN COUNCIL MEETING HELD ON MONDAY, APRIL 7, 2014, AT 6:00 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 6:00 pm.

ROLL CALL:

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

INVOCATION

Councilmember Woolridge led the Invocation.

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.

Mr. Jerry Ravert, Florence Resident, requested that the Council reconsider the location of the library. He requested that the library be placed at the Silver King Hotel. It is his understanding that the Pinal County property will be demolished. He would like to see the library placed on the Silver King property where the demolished portion used to be. He said there is room for a library, computer facilities and a small outdoor seating area. He also requested that the park and amphitheater not be built, but rather add a parking lot which will support the visitors.

Mr. Ravert referred to Mr. Harris Sulvan's report on Florence's AT that was done in the 1970s. The report contains the streetscape for the Florence library. The Town would only need to design the interior. This type of change will complement the Town and District as well as improve visitation to the downtown area.

Mr. John Anderson, Florence Resident, thanked the Council for the opportunity to serve on the Planning and Zoning Commission for three years. He thanked Councilmember Walter for inquiring about his resignation. He wanted to clarify the answers to some of the questions that were asked at the previous meeting regarding his resignation. He

said that Councilmember Walter inquired about a meeting that was to be planned, and the Town Manager responded that they were going to have the meeting but that Mr. Anderson chose to resign instead. He said that he never heard of any meeting. He said Councilmember Walter asked if they should table the acceptance of his resignation in order to have further discussions. He said the Town Manager responded that they asked them both, the members of the Commission directly, and they decided not to come to the Council and he chose to submit his resignation. He reiterated that absolutely no one spoke to him about his resignation.

Mr. Anderson stated that he also resigned because of the kind of respect that Town staff has shown the citizens of the Town. He wanted to clarify the remarks made because he does not want the Council to think that he is a quitter.

Mr. Terry Makdad, Wild Horse Estate Resident, stated that the equestrian zoning was to come before the Council on April 21, 2014, but understands that it has since changed. He is requesting that the Council adopt the Planning and Zoning Commission's recommendation of Option A of the RRES 606-13 Ordinance. He said Option A is the only option that complies with the ARS § 9-471 Paragraph L, as stated at the March 20, 2014 Planning and Zoning Commission meeting, by the Town's legal counsel. He stated that State Statute requires that the annexing body to implement zoning as close as possible to the existing County zoning. He also requested that the Mayor announce that the meeting will be for public hearing and action. The issue of the zoning for Wild Horse Estates, if annexed, has been going on since the October 30, 2013. He said it is time to end the conflict that has been caused by this issue and allow the residents of Wild Horse Estates to get on with their lives. He asked that Council not wait until May 5, 2014 to make the decision. He asked if a new letter must be sent to the Wild Horse residents announcing that a decision will be made on April 21, 2014, that it be done immediately.

Mr. Makdad stated that Ms. Kelea Nevis, Wild Horse Estates Resident, stated that she overturned the December 5, 2013 Planning and Zoning Commission Wild Horse Estates recommendation and intends to do the same again.

Ms. Nancy Cincotta, Wild Horse Estates Resident, stated that she and her husband have lived in Pinal County for 18 years and own 23 properties in Pinal County. She said the properties are in General Rural, where many different types and quantities of animals are allowed. She said she is a resident of Wild Horse Estates, which is not zoned General Rural and does not allow more than two horses per property nor does it allow any other farm animals or fowl.

Ms. Cincotta stated that the Planning and Zoning Commission's recommended Option A closely mirrors the current Pinal County zoning, the animal ordinance and the CC&Rs of Wild Horse Estates. She said to adopt anything but Option A would be a violation of ARS §9-471, paragraph L.

Ms. Cincotta said there is a small, but loud group that wants different kinds of animals and larger quantities of animals. She said there are 11 properties out of 84 properties that are out of compliance with the number and types of animals allowed in Wild Horse Estates, under the Pinal County zoning. She said 11 is a small number compared to 73 that are following the rules. The rule breakers are the problem and they are creating more problems. There are some that claim that they did not know that there was a maximum of two horses and no other animals of fowl allowed, but whether or not they knew the rules when they purchased their homes is not the point. She said ignorance of the law is no excuse. She said it is no coincidence that the most outspoken group members are in violation and out of compliance. Ms. Nevis, spokesperson for the group, is in violation, out of compliance, and has no intention of following the rules. She has bragged that she has had plenty of experience fighting the same battle in two other states, Colorado and California.

Ms. Cincotta stated that Ms. Nevis and the group would like the Council to believe that it is their right to have more animals, but not if they live in Wild Horse Estates. She said the zoning, the ordinance and the CC&Rs do not allow it. She requested that the April 21, 2014 Town Council meeting be for the public hearing and action of this item.

PUBLIC HEARING AND PRESENTATION

Public hearing on an application for a zone change from Single-Residential Ranchette (R1-R) to Single-Family Residential (R1-6); and First Reading of Ordinance No. 609-14:

Mr. Charles A. Montoya, Town Manager, read Ordinance No. 609-14 by title only.

AN ORDINANCE OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, APPROVING A ZONE CHANGE ON THE REDSTONE RANCH PROPERTY LOCATED IN A PORTION OF THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 5 SOUTH, RANGE 10 EAST, GILA AND SALT RIVER MERIDIAN, PINAL COUNTY, ARIZONA, AKA, APN 206-01-0230 (PZC-41-13-ZC).

Mark Eckhoff, Community Development Director, explained where the property is located and said the property has one owner. He explained the process for annexation that has taken place. He said the next steps include the first reading on the annexation ordinance, first reading on applying the comparable zoning on the property, and the application of the comparable zoning. The new zoning will be applied after the comparable zoning has been applied.

Vice-Mayor Smith inquired where the substation will be located.

Mr. Eckhoff identified the location of where the substation may be located.

Mr. Wayne Costa, Public Works Director, stated that a meeting is being scheduled to discuss the short term and long term planning of the area.

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

Annual Report Presentation by Police Chief Daniel Hughes.

Mr. Daniel Hughes, Police Chief, said Florence has been named the 17th safest city in America and the 4th safest city in Arizona. These types of acknowledgments are unsolicited and much appreciated. He said the Police Department is actively involved with the community and works diligently to build a good rapport and strong partnerships with the citizens.

Chief Hughes provided an overview of the statistics from 2011 to 2013 and said Florence has a 12% decrease in crimes. The officer initiated calls for service have increased from 10% in 2012, to 41% the following year. It is the officers' goals to be more involved in the community and to be more interactive; the increase indicates that they are doing that. He said citations have increased and the citations are written to promote public safety and to reduce accidents. He stated that they have also conducted campaigns to reduce speed in areas where people need to be safer in their driving.

Chief Hughes stated the Police Department has received several grants from the Governor's Office of Highway Safety for overtime costs and new equipment. He went over quality of life issues, such as accidents being down by 5.3%; simple assault and criminal damage are also down 15%; and welfare checks and officer involvement has increased 69%. The interaction with the community is a top priority and is needed in order to keep the community safe.

Chief Hughes outlined the three beats that they have. He said partnership is key and necessary to keep our community safe, such as installing safety seat and seat belt enforcement. They also do commercial vehicle checks to ensure safety. They also partner with the schools and teach gang resistance and other educational programs dealing with ethics. Working with the youth is instrumental to provide a safer community in the future.

Chief Hughes said training has increased. Officers are being provided training that they have never had in the past. The volunteers are also very involved in the community and have a strong presence. He stated that the 911 dispatchers have very demanding and difficult jobs. There are numerous screens that they have to monitor and they carry a lot of responsibility. The 911 calls have increased from 2011 to 2013. The said the records department also does very well. They strive for great customer service and to provide the public what they need. He said they have a prescription drop off box and took in approximately 31 pounds of prescription and non-prescription drugs. He said the box was taken to Anthem and they collected 23 pounds from that location. The goal is to publicize the drop off box and collect more drugs so that it doesn't go into the water system.

Councilmember Montaño inquired about the increase in speed violations.

Chief Hughes stated they have tried to slow traffic down in the high usage areas such as Hunt Highway. The goal is to slow people down.

Mayor Rankin would like to see a higher officer presence in school zones. He said the public has become aware that the volunteers cannot give citations.

Chief Hughes said they will increase the officer presence in school zones.

Councilmember Celaya said that the students speed on Willow Street when they are leaving the high school campus during lunch.

Mayor Rankin requested that another speed bump be installed on Willow Street and one added on Central.

Chief Hughes said they will increase the police presence in those areas.

Mayor Rankin requested some type of driver education to the high school students.

Councilmember Walter said prom and graduation are fast approaching and campaigns are done to deter drinking and driving. She said Pinal County uses RICO funds for the lock in program for high school students. She said that may be a good time in which to do the educational programs.

Mayor Rankin commended the Police Department for their hard work and efforts.

Proclamation of the Mayor declaring April 6 – 12, 2014, as the Week of the Young Child in Pinal County.

Mayor Rankin declared April 6 – 12, 2014, as the Week of the Young Child in Pinal County. He said the children are the future of the community. Education is vital for their growth. The work that First Things First is doing is much appreciated.

Mr. Brett Haupt, Community Outreach Coordinator for Pinal Region, First Things First, accepted the proclamation. He said 90% of a child's critical brain development happens by age five and 80% by age three. He said the skills, such as vocabulary, reading comprehension, self-esteem, focus, and motivation, are what are learned during those first critical years, and they will carry those skills with them through their entire lives. Those traits are what are also found in successful people. He said often times quality education is important; however, more than what we teach our children, and more important than how we teach our children, it is most important to spend time with the children.

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.

***Proclamation of the Mayor declaring April 2014, as Fair Housing Month.**

***Approval of the resignation of Christine Reeder from the Parks and Recreation Advisory Board.**

***Approval of the sale of Town of Florence owned residential property, located at 745 S. Central, Florence, Arizona, Assessor Parcel Number 202-09-037D, to Deborah Bagnall, for $61,444.00.**

***Approval of accepting the register of demands ending February 28, 2014, in the amount of $2,180,934.30.**

On motion of Councilmember Montaño, seconded by Councilmember Walter, and carried to adopt the Consent Agenda, as written.

NEW BUSINESS

Ordinance No. 607-14:

Mr. Charles A. Montoya, Town Manager, read Ordinance No. 607-14 by title only.

AN ORDINANCE OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE TOWN OF FLORENCE, PINAL COUNTY, STATE OF ARIZONA, PURSUANT TO THE PROVISIONS OF TITLE 9, CHAPTER 4, ARTICLE 7, ARIZONA REVISED STATUTES AND AMENDMENTS THERETO, BY ANNEXING CERTAIN TERRITORY CONTIGUOUS TO THE EXISTING TOWN LIMITS OF THE TOWN OF FLORENCE, ARIZONA, AND PROVIDING FOR A RESCISSION OF SUCH ANNEXATION IF THE ANNEXATION IS CHALLENGED (REDSTONE RANCH ANNEXATION NO. 2013-03).

Mr. Mark Eckhoff, Community Development Director, stated that this is the first reading of the annexation ordinance. The second reading and adoption will take place at the next meeting.

Ordinance No. 608-14:

Mr. Charles A. Montoya, Town Manager, read Ordinance No. 608-14 by title only.

AN ORDINANCE OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, AMENDING THE "TOWN OF FLORENCE ZONING MAP" BY CHANGING THE ZONING CLASSIFICATION OF A CERTAIN PARCEL OF LAND FROM PINAL COUNTY GENERAL RURAL (GR) ZONING DISTRICT TO TOWN OF FLORENCE

SINGLE–RESIDENTIAL RANCHETTE (R1-R) ZONING DISTRICT (REDSTONE RANCH ANNEXATION INITIAL/COMPARABLE ZONING).

Mr. Mark Eckhoff, Community Development Director, stated that the ordinance is for the comparable zoning of the annexation. He said comparable zoning must be applied to the property when it is being incorporated into the municipality. He said R-1R will be the comparable zoning that is applied. He said the R-1R zoning will be changed to the R-16 zoning.

Resolution No. 1430-14:

Mr. Charles A. Montoya, Town Manager, read Resolution No. 1430-14 by title only.

A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, APPROVING THE DEVELOPMENT AREEMENT WITH JOHNSON RANCH ESTATES, L.L.C., AN ARIZONA LIMITED LIABILITY COMPANY, AND AUTHORIZING EXECUTION OF SUCH DEVELOPMENT AGREEMENT.

Mr. Mark Eckhoff, Community Development Director, described the location of the property. He said the land use map provides an overview of what the developers would like to do with the property. He said the development agreement is before the Council for approval and staff will come before Council in the near future with the General Plan Amendment for this property to change the land use designation to a master planned community and amending the Florence Ranch PUD zoning document. The Development Agreement is straight forward. It is a 20 year agreement and will supersede the Florence Ranch Development Agreement. There is a term on the impact fees section that residential impact fees will be deferred, but not waived until 500 dwelling units are completed, or for three years. This will help facilitate more home building activity. Impact fee credits will be applied for improvements that are done, per State Statute and the Town's ordinances. The preliminary plats will be for two year periods, rather than the one year period, per Town Code. The master plan exhibit references the new water and wastewater infrastructure.

Councilmember Hawkins stated there is a typographical error in the background section of the Request for Council Action Form and read the section in which the error occurred. He inquired if the property is on the east or west side.

Mr. Eckhoff stated that the property is on the west side.

On motion of Vice-Mayor Smith, seconded by Councilmember Walter, and carried to adopt Resolution No. 1430-14.

Resolution No. 1431-14:

Mr. Charles A. Montoya, Town Manager, read Ordinance No. 1431-14 by title only.

A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, APPROVING THE PRE-ANNEXATION AND DEVELOPMENT AGREEMENT WITH SEVILLE INVESTMENTS, LLC, A DELAWARE LIMITED LIABILITY COMPANY, JOHN C. THOMSON AND ROBERT C. MISTER (THE "OWNER") AND AUTHORIZING EXECUTION OF SUCH PRE-ANNEXATION AND DEVELOPMENT AGREEMENT (ANNEXATION NO. 2013-01 – "HUNT HIGHWAY COMMERCIAL" PROPERTIES).

Mr. Mark Eckhoff, Community Development Director, stated the site encompasses a land area of approximately seven acres located within the pending Magic Ranch annexation. The site is located along the east side of the Hunt Highway corridor, generally between the Anthem at Merrill Ranch and Magic Ranch developments. The site sits south of the Johnson Utilities Section 11 WWTP and directly east of parcels planned for a future grocery store anchored shopping center. The initial plans for this site include a mini-storage business. The mini-storage facility will ultimately be wrapped by additional commercial uses. He said the owners are supportive of the annexation.

Mr. Eckhoff stated that the PADA commits to not increase development impact fees for the site for the first five years of the term. He said the plans, at whatever stage they have been entitled at with Pinal County, will be brought in to Florence.

On motion of Councilmember Montaño, seconded by Councilmember Walter, and carried to adopt Resolution No. 1431-14.

DEPARTMENT REPORTS

Manager's Report

Department Reports

Community Development

Courts

Finance

Fire

Library

Parks and Recreation

Police

Public Works

Utilities

Vice-Mayor Smith inquired about the two hour parking signs that were installed at Main Street Park.

Charles A. Montoya, Town Manager, explained that the signs were installed approximately eight months ago, at his request, to deter activities with the high school students that were taking place there.

Vice-Mayor Smith inquired if there will be enough space for the Farmer's Market at the new location.

Mr. Montoya stated there should be adequate room. The Farmer's Market is still in the planning process and the item will be forwarded to Council at a later time.

Vice-Mayor Smith inquired about the roundabout on State Highway 79B and 287.and if the Town will need to provide funding for this project.

Mr. Montoya said the design funds have already been put in place. He said once the design is complete, the Town can find the funding or work with ADOT to acquire funding.

Mr. Wayne Costa, Public Work Director, explained that the Town will pay 5.7%, or approximately $46,000 of the cost, and ADOT will pay for the remainder.

Mayor Rankin explained the changes that have occurred with the HURF funds.

Councilmember Hawkins inquired if it is a done deal that they are going to put in a roundabout.

Mr. Costa stated that the roundabout has been on the books since 2005. 5.7% of the design is approximately $46,000 dollars that the Town has to pay.

Councilmember Hawkins inquired if the decision to install the roundabout is final.

Mr. Costa said the project has been budgeted since 2005, with Florence paying the 5.7% of the cost.

Councilmember Hawkins said he would prefer a four way stop.

Mr. Costa stated that combining eight intersections at one point can be difficult with the turning movements. He said the legs of the roundabout will handle many approaches rather than a T intersection.

Mayor Rankin discussed his use of roundabouts and said they take some getting used to.

Councilmember Hawkins said tourists do not have the time frame to get used to it when they come to Florence.

The Department Reports were received and filed.

CALL TO THE PUBLIC

Ms. Denise Kollert, Florence Resident, stated that the library needs to be by Town Hall and not in the downtown area.

CALL TO THE COUNCIL

Councilmember Walter said the Town held an appreciation dinner for the Board and Commission members, where they celebrated the hard work and success of each. She invited anyone interested to join a board or commission or Town Council to do so. She also invited the public to the many events that the Town has planned.

Councilmember Walter acknowledged Mr. Bryan Hughes, Parks and Recreation Director.

Mr. Montoya introduced Mr. Hughes, and provided a brief overview of his professional career.

Vice-Mayor Smith inquired when the final negotiation documents for the Johnson Utilities purchase will come before the Council.

Mr. Montoya stated that he and Mr. Mannato are still working with the Johnson Utilities attorneys. They are fairly close to finalizing the Management Agreement and the Purchase Agreement is close behind. The plan is to have both agreements to Council by the end of the month.

Vice-Mayor Smith stated that the election for the purchase will be on May 20, 2014. He asked Council to wait to make any decisions until after the election.

Mr. Montoya said that it would be a policy decision to be made by the Council. His direction is to bring the finalized documents to the Council. The Council can make the decision as to when to approve the agreements.

Vice-Mayor Smith said Johnson Utilities is a good company and it is up to the voters if it the Town is to purchase it. He outlined the base price and the total price if the company is purchased. He said voters should be educated on the cost for purchase and the terms of the sale. He said the Council should not make any decisions on the matter until the voters have voted.

Councilmember Woolridge concurred with Vice-Mayor Smith. She asked staff to have another community meeting to educate the public.

Mayor Rankin said he is favor of the purchase. He said it will cost the users of the utility, not the tax payers. If the economy goes bad, the bond holder will be take the utility back. He said it important to educate the public. He will be speaking at various locations on behalf of the purchase.

Mayor Rankin thanked everyone who sent condolences to his wife Donna, for the passing of her sister.

Mr. Montoya said that there will be another work session and special session for documents review once they are completed.

Councilmember Woolridge requested that the special meetings be held on a date in which they have a Council meeting.

Mr. Montoya stated that they will work with staff to schedule appropriately. He listed all the dates for the upcoming meetings and the topics for each.

ADJOURNMENT

On motion of Councilmember Montaño, seconded by Councilmember Walter, and carried to adjourn the meeting at 7:06 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 7, 2014, and that the meeting was duly called to order and that a quorum was present.

Lisa Garcia, Town Clerk