

MINUTES OF THE FLORENCE TOWN COUNCIL MEETING HELD ON TUESDAY, JANUARY 22, 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 5:45 p.m.

ROLL CALL:

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

ADJOURN TO EXECUTIVE SESSION

For the purpose of discussion of the public body regarding Town Manager contract negotiations, in accordance with A.R.S. §38-431.03 (A)(1) and (4).

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

ADJOURN FROM EXECUTIVE SESSION

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

INVOCATION PERFORMED BY REVEREND DONALD WOOLRIDGE, UNION BAPTIST CHURCH.

Reverend Donald Woolridge, Union Baptist Church, performed the invocation.

PLEDGE OF ALLEGIANCE

Councilmember Woolridge 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, spoke in support of the monument sign that is proposed on the corner of Butte and Main Street. She stated that the sign will look very nice.

Mr. Scott Smith, Event Chairman, Florence Relay for Life, stated that the Florence/Coolidge Relay for Life event has been split this year, and each will have their own event. He is requesting volunteers for committee members as well as teams.

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.

***Approval of accepting the register of demands ending November 30, 2012, in the amount of \$1,316,384.75.**

*** Approval of accepting the register of demands ending December 31, 2012, in the amount of \$1,529,543.73.**

***Approve a lease renewal agreement with RZN8 Media, L.L.C., for Suite 202, in the Silver King Marketplace.**

***Authorization to forward a favorable recommendation to the Arizona Department of Liquor Licenses and Control regarding the Assumption of Blessed Virgin Mary Parish's application for a Special Event Liquor License on Saturday, February 9, 2013, for a Mardi Gras Festival.**

***Authorization to forward a favorable recommendation to the Arizona Department of Liquor Licenses and Control regarding the Elk's Lodge application for a Special Event Liquor License on February 10, 2013, for the 2013 Prison Run.**

***Authorization to enter into a contract for auditing services to Henry and Horne, LLP, in the amount of \$92,000, to extend the auditing service contract for an additional three years.**

***Authorization to award the purchase of an exhaust filtration system to Clean Air Concepts, in an amount not to exceed \$63,653.10**

***Adoption of Resolution No. 1375-13:**

Ms. Lisa Garcia, Interim Town Manager, read Resolution No. 1375-13 by title only.

A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, ORDERING THE EXTINGUISHMENT OF A PORTION OF RIGHT-OF-WAY LOCATED IN FLORENCE, ARIZONA, GENERALLY DESCRIBED AS A PORTION OF 6TH STREET, TO BE USED FOR THE INSTALLATION, MAINTENANCE AND REPAIR OF UTILITIES.

***Adoption of Resolution No. 1376-13:**

Ms. Lisa Garcia, Interim Town Manager, read Resolution No. 1376-13 by title only.

A RESOLUTION ORDERING THE EXTINGUISHMENT OF A PORTION OF RIGHT-OF-WAY LOCATED IN FLORENCE, ARIZONA, GENERALLY DESCRIBED AS A PORTION OF CHURCH STREET, TO BE USED FOR THE INSTALLATION, MAINTENANCE AND REPAIR OF UTILITIES.

On motion of Vice-Mayor Smith, seconded by Councilmember Montaña, and carried to approve the Consent Agenda as written.

UNFINISHED BUSINESS

Discussion/Approval/Disapproval of selecting a monument sign to be located at the northeast corner of Butte Avenue and Main Street.

Mr. Mark Eckhoff, Community Development Director stated that all of the proposed sign options are good. He gave a brief overview of the sign's location and gave a brief overview of the DC District.

Mr. Eckhoff stated staff initially recommended Option F, which HDAC forwarded a favorable recommendation to Council. Council approved Option F, with a 5-2 vote. He said concerns about the sign were raised and the approval was rescinded.

Mr. Eckhoff gave a brief description of each of the sign options:

- Option A Standard monument sign without the reader panels or electronic message center
- Option B includes a small electronic message center
- Option C Contains a fixed banner area
- Option D Has a very large electronic message center
- Option E Has a large banner area
- Option F Compromise of an earlier sign, it has a medium size electronic message center and Historic Downtown Florence verbiage on the top of the sign, bricks are locally sourced to reflect the character of the area and will match the National Bank construction.

Mr. Eckhoff said another option will be to select one of the options with modifications. He suggested Option A, which may have more room for the courthouse figure and word "Historic Downtown Florence", if they were to remove the word "Arizona".

Mayor Rankin inquired about the height size of Option C.

Mr. Eckhoff stated the height of the size can be stipulated.

Mayor Rankin asked for the height size limits for ground signs.

Mr. Eckhoff stated that there is a guideline for monument signs in the Historic District guidelines of four feet in height. The height sign in the DC District in the Town Code states eight foot. He said the sign is within Code, and there can be some deviation from the HDAC guidelines, if Council feels it appropriate.

Councilmember Montaña inquired the cost for each sign.

Mr. Eckhoff said the high end would be \$15,000 for Option F, and Option A would be included in National Bank's offsite improvements and there would be no financial impact to the Town for that sign, other than maintenance and replacement of sign components.

Councilmember Hawkins stated that many people were not happy with Option F because of the size of the electronic message board. He said Option B does not have electronic message center as large, which may be better.

Councilmember Celaya inquired if the sign is a budgeted item.

Mr. Eckhoff said funding available. He said there are un-utilized funds in the Community Development budget, and funding is available through economic development or downtown redevelopment enhancement type of activities. Funds exist up to \$15,000. He said the other options may be included in the Streetscape Project.

Councilmember Celaya inquired if the intent was to create an opportunity for the Town to have some type of public announcement rather than the banners that go across the entry to Main Street. The smaller panels would have to loop the second part of the message and people may not be able to read it. He is still in favor of Option F, without all of the flashy colors. He said there needs to be a way to put announcements in a high traffic area. He said the HDAC are guidelines and are not the Town Code.

Mr. Eckhoff explained the benefits of Option F, which includes multiple lines of text, and being able to catch someone's attention with a message in a short amount of time. Imagery could also be used with Option F. Option B is limited.

Vice-Mayor Smith said the reason HDAC voted the way they did is because they were told they did not have the authority. He said the guidelines do not allow for electronic signs. The Council needs to be consistent and follow the guidelines. He understands that there may need to be a height variance.

Councilmember Celaya said he attended the HDAC meeting and the Commissioners were given several options and they chose to combine the options with modifications, which became Option F.

Councilmember Celaya asked Mr. Eckhoff to define the difference between the Town Code and guidelines.

Mr. Eckhoff stated the Codes are the law of the Town of Florence and there is no deviation from those unless a text amendment or variance is done. The guidelines were established to help preserve the character of the Historic District, but flexible enough to deal with extreme circumstances of infill development, and new development in the District. He said the National Bank building is the first new building construction that has occurred in quite some time in the Historic District.

Vice-Mayor Smith inquired if staff has consulted SHPO regarding the electronic message center.

Mr. Eckhoff said they did consult SHPO, and they support Option F at that location because they took into account the following:

- Busy commercial corner
- Site of new development
- Construction on the site before was not of historical significance
- Modern intersection with signalization
- Commercial signage on Circle K and Subway, which are non-conforming

Mr. Eckhoff said they have no objections to any of the signs. The Streetscape Project was going with a sign similar to Option A. He said the sign could be changed at a later time.

Councilmember Montaña inquired how far the sign would need to be moved to be out of the Historic District.

Mr. Eckhoff said there would be challenges to locating the sign out of the Historic District on Main Street. He said there has been discussion on SH79 and on SH287. Mr. Eckhoff stated that several departments have indicated a sign in which they would be able to market events in a way other than a large banner going across the street.

Councilmember Woolridge stated that her preference would be Option F. She asked if a variance would be needed to expedite the process.

Mr. Eckhoff stated that a text amendment to the guidelines could be done if they elected to pursue Option F.

On motion of Councilmember Woolridge, seconded by Councilmember Celaya, to approve Option F, with discussion following.

Councilmember Montaña said if the Council were to change the Code, he would be in favor of Option F. He said the Town rejected True Value's electronic sign and feels that they should be consistent.

Councilmember Celaya said that the True Value building is a historic building, not new construction. He said the Council needs to be cognizant of the difference between the Historic District guidelines and the Town Code. He inquired the height of the sign.

Mr. Eckhoff said the sign is six feet five inches. Mr. Eckhoff said the Town Code allows for eight feet, and the Historic District guidelines allow for four feet.

Councilmember Montaña inquired if the DC allows for electronic signs.

Mr. Eckhoff said the guidelines discourage electronic modern signs.

Councilmember Montaña said the guidelines need to be updated.

Councilmember Celaya inquired if the sign is within the Town Code.

Mr. Eckhoff stated the sign was within the Town Code.

Roll Call Vote:

Councilmember Woolridge: Yes

Councilmember Celaya: Yes

Councilmember Walter: No

Councilmember Hawkins: Yes

Councilmember Montaña: No

Vice-Mayor Smith: No

Mayor Rankin: No

Motion Failed: Yes: 3; No: 4

On motion of Councilmember Walter, seconded by Vice-Mayor Smith, to approve Option A, with discussion following.

Councilmember Montaña inquired if the sign can be changed if the DC Code changes to allow for electronics.

Mr. Eckhoff said it would be difficult to modify the sign to add an electronic message center later on.

Vice-Mayor Smith inquired if the sign could be moved to the Silver King and a new sign installed at the National Bank facility.

Mr. Eckhoff said that moving the sign is a possibility.

Councilmember Celaya inquired if they would need to cut into asphalt in order to install the infrastructure for the electronic sign.

Mr. Eckhoff said all signs require electrical connections. He said the electronic message center would need internet phone connection. The Town was provided easements, and the Town will be able to do the connections. Conduit can be placed underground to prepare it.

Mayor Rankin said he likes the word Arizona on Option A, and feels it is very important to list Arizona as there are many Florence's.

Councilmember Walter: Yes

Vice-Mayor Smith: Yes

Councilmember Hawkins: No

Councilmember Woolridge: No

Councilmember Celaya: No

Councilmember Montaña: Yes

Mayor Rankin: Yes

Motion Passed: Yes: 4; No: 3

Ordinance No. 590-13:

Ms. Lisa Garcia, Interim Town Manager, read Ordinance No. 590-13 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 150.059 DOWNTOWN COMMERCIAL (DC) AND 150.047 DISTRICT USE REGULATIONS TABLES (B) (First Reading January 7, 2013).

On motion of Councilmember Woolridge, seconded by Vice-Mayor Smith, and carried to adopt Ordinance No. 590-13.

NEW BUSINESS

Discussion/Approval/Disapproval of entering in to employment contract for the position of Town Manager.

Mayor Rankin stated the Council has offered an employment contract to Mr. Charles Montoya, from Castle Rock, Colorado.

Mr. Montoya stated that he appreciates the opportunity to work with the Council, the community, the business members, colleagues and staff. He looks forward to being part of the community and helping the Council guide the community move forward in the future.

On motion of Councilmember Montaña, seconded by Councilmember Celaya, and carried to approve employment contract for Charles Montoya.

Resolution No. 1378-13:

Ms. Lisa Garcia, Interim Town Manager, read Resolution No. 1378-13 by title only.

RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, APPROVING THE FORM AND AUTHORIZING THE EXECUTION AND DELIVERY OF A LEASE-PURCHASE AGREEMENT FOR CERTAIN EQUIPMENT; DELEGATING AUTHORITY TO THE FINANCE DIRECTOR OF THE TOWN TO DETERMINE CERTAIN MATTERS AND TERMS WITH RESPECT TO THE FOREGOING; AUTHORIZING THE TAKING OF ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY THIS RESOLUTION AND DECLARING AN EMERGENCY.

On motion of Councilmember Montaño, seconded by Councilmember Walter, and carried to adopt Resolution No. 1378-13.

Discussion/Approval/Disapproval of purchasing a 2013 Pierce Velocity Platform from Hughes Fire Equipment Inc., in the amount not to exceed \$1,151,553.10.

Mr. Jeff Moser, Fire Chief stated the new fire truck will replace the 1998 fire truck that is 14 years old. They have put in quite a bit of money in the truck for repairs and maintenance. The vehicle is currently stationed at Station 542 in Anthem. The truck will remain in the fleet as a backup truck. The new truck will take approximately eight months to build.

On motion of Councilmember Walter, seconded by Councilmember Hawkins, and carried to approve of purchasing a 2013 Pierce Velocity Platform from Hughes Fire Equipment Inc., in the amount not to exceed \$1,151,553.10.

Resolution No. 1377-13:

Ms. Lisa Garcia, Interim Town Manager, read Resolution No. 1377-13 by title only.

RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, IN SUPPORT OF THE CREATION OF THE SUN CORRIDOR MPO WITH THE CITY OF CASA GRANDE, CITY OF ELOY, CITY OF COOLIDGE AND PINAL COUNTY AND STATING ITS INTENT TO BECOME AN ORIGINAL MEMBER OF THE SUN CORRIDOR MPO.

Mr. Eckhoff stated that there are two major Metropolitan Planning Organizations (MPOs): MAG in Maricopa County and PAG in Pima County. A third MPO is being formed by western communities in Pinal County due to the population. He said per the 2010 Census, the Casa Grande area hit a population threshold where the Federal law requires that they form an MPO. Concurrently, the San Tan Valley area reached a population threshold where they are required to join an MPO.

Mr. Eckhoff gave a brief description of the various options that were available, which include:

- An county-wide MPO
- An MPO within the growth region as large as possible to contain and capture urbanizing areas for twenty years and beyond
- A smaller MPO in which Casa Grande would form their MPO that would include some areas in Pinal County, Coolidge and Eloy

Mr. Eckhoff said Casa Grande's MPO initially did not include the San Tan area, which was a concern for Florence because of the commuting and economic development patterns that may affect Florence, specifically when you consider transportation funding. He said the San Tan region is extremely important for Florence from a transportation, air quality, and regional planning perspective.

Mr. Eckhoff said the proposed resolution lists all those who will be part of the MPO. The City of Maricopa has passed a resolution in which they have chosen to go with the MAG MPO because of their relations with the Phoenix metro area. Apache Junction and Queen Creek will desire to be part of the MAG MPO as well.

Mr. Eckhoff said if they can get the MPO as large as possible for this region, it will provide a great starter with the potential to grow over time. Pinal County, Eloy, and Coolidge also support a resolution similar what is being proposed.

Mr. Eckhoff said, if the resolution is adopted, it would then be forwarded to the City Casa Grande, who will then put their documents together and present it to ADOT and the Federal Highways, and work with them to form the MPO. He said Florence will work closely with them to ensure that it goes in the direction as identified.

Mr. Eckhoff said there will be no immediate changes. Ultimately, it will have an impact on the Town. He said if the MPO partners with CAG, there will be a way for them to link land use planning, economic development, transportation, air quality and other issues as growth occurs.

Mayor Rankin said if the Town decides to go with the Sun Corridor, MAG has agreed that boundaries need to be set.

Councilmember Montañó inquired about the copper corridor joining the MPO.

Mr. Eckhoff stated that there is not enough urbanization or immediate plans for urbanization to include that region. The plan would be to strategize and formalize the opportunity to expand to the east as growth occurs.

Councilmember Montañó inquired if it would be beneficial to look at MAG because of the North South Freeway Project because of the growth that it will bring.

Discussion occurred on the North South Freeway Project and the growth patterns that may occur, urbanization in eastern Pinal County, and the Florence's planning area.

Mayor Rankin explained the MPO boundaries and explained the importance of Florence joining an MPO with San Tan Valley with regards to annexation, transportation routes. He said San Tan Valley will incorporate and will be the largest community in the County. Florence will be their closest neighbor. He said the east-west corridor is going to be very important to the development of our communities. He said it is important to have more control for ourselves.

Councilmember Montaña stated that if you have Florence, Coolidge, Casa Grande, and Eloy, we have one vote to three to try and push the transportation in our direction. Florence has had the opportunity with Pinal County to grow and develop access roads toward San Tan Valley and into the east valley, yet Florence has not done that. He said San Tan Valley will go with MAG because they are only eight miles from Apache Junction. He said if they do, Florence will be on the opposite end of the MPO developed by Casa Grande.

Mayor Rankin said Pinal County will dictate which MPO San Tan Valley will go to. If Florence forms an MPO, they can either join or go to MAG.

Councilmember Celaya asked if there was any indication what Pinal Partnership is doing with the area that they are master planning.

Mayor Rankin said they are looking for the betterment of Pinal County, whichever way it goes. He said working with MAG has both advantages and disadvantages. MAG has approximately 27 entities. He said you have to consider where the federal dollars are going to. He said his opinion is the destiny of Pinal County is north of Florence and the development of Pinal County is the Superstition Vistas Project. If Florence has the Sun Corridor, then Florence has more input, unless it goes to MAG.

Councilmember Celaya asked if there will be some overlapping of MAG and Sun Corridor with the Town's planning area.

Mr. Eckhoff stated MPOs cannot overlap with each other. He said one problem of not including the San Tan area is that it will go into MAG. He said part of the problem is that it would take in some of Florence's planning area. When the Town does an annexation that would go in that planning area, it would have to go through a process of moving the area from the MAGP MPO and move it into the Town's MPO. It makes it cumbersome to grow in the area, and they may include the Superstition Vistas area.

Mr. Eckhoff explained the different MPOs, what they do and the services they provide. He explained the advantages of MAG and PAG; however, those same benefits would not come into Pinal County.

Councilmember Montaña inquired if the Council has to make a decision at this meeting.

Mayor Rankin said that it is time sensitive and meetings need to be coordinated, and boundaries need to be set.

Councilmember Celaya requested clarification on the Council's recommendation. He understands it to be an adoption contingent on the inclusion of San Tan Valley and Superstition Vistas areas.

Ms. Garcia said that he is correct on the recommendation. She said that last week, the Town became aware of the changing of the boundaries. When the Town first started negotiations with the City of Casa Grande, it was with the intent that those areas be in place.

Mayor Rankin said the map that came out last week does not include Florence's planning area. He said Casa Grande was not talking about Superstition Vistas when they considered the plan.

Mr. Eckhoff outlined the Superstition Vistas area.

Discussion occurred on the proposed recommendation and the Sun Corridor MPO.

Ms. Garcia said the maps have not been finalized and Council may go on record saying that they want their planning area included, it can be written into the resolution.

Discussion occurred on clarification of the areas to be incorporated in the MPO.

Ms. Garcia clarified the areas to be incorporated.

Mayor Rankin said in order to change MPO's the majority of both MPOs must be in agreement to change.

Discussion occurred on Pinal County's stance on the MPOs.

On motion of Councilmember Hawkins, seconded by Councilmember Celaya, and carried to adopt Resolution No. 1377-13, allowing the participation by Town of Florence in the SCMPO if it includes the San Tan Valley and Superstition Vistas areas.

Ordinance No. 591-13:

Ms. Lisa Garcia, Interim Town Manager, read Ordinance No. 591-13 by title only.

**AN ORDINANCE OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA,
AMENDING THE TOWN CODE TITLE 7, CHAPTER 72 BY ADDING SECTION 72.04
CONCERNING RESTRICTIONS ON VEHICLE WEIGHT.**

James E. Mannato, Town Attorney, stated that the purpose of the ordinance is to take what is contained in the Arizona Revised Statutes pertaining to weight restrictions on commercial vehicles and incorporate it into the Town Code. He said if a citation is issued against a commercial vehicle for a weight violation and the motorist is found responsible then the fines would be retained by the Town. Currently, the Municipal Court is required to forward the fines to the State.

Councilmember Montaño inquired if the citation is issued on a state highway would the fines go to the State.

Mr. Mannato stated the critical thing is under what provision of law is the motorist being cited into the Municipal Court. He said if they are cited under a municipal ordinance, the Town would retain the fine monies and deposited into the General Fund.

Discussion occurred on various scenarios regarding the issuance of citations.

Mr. Mannato said that by adopting a local ordinance, it makes it a local law, and therefore the Town will be able to retain the fines.

Councilmember Montaño inquired how many officers are working commercial vehicles. He also inquired if most of the vehicle stops are done along SH79 and SH87.

Daniel Hughes, Police Chief, said the Town has three officers that are certified and they run from time to time. He said that the stops are done on SH79 and SH87.

Councilmember Montaño said the Town received grant money for the three officers to work commercial vehicles.

Chief Hughes said they have grant money and weights and skills within the department so they can run their own truck enforcement.

Councilmember Montaño said his concern is that they are spending more time and money looking at vehicles on state routes than they are patrolling in the community.

Chief Hughes said officers are not taken off their patrol for truck enforcement. Times are scheduled in advance for truck enforcement and staff is brought in for it. If staff finds a truck that is overloaded on a back road, they will make a stop and can do the scales. Officers are not pulled off regular duty patrol.

Councilmember Montaño inquired if this is overtime hours or regular hours.

Chief Hughes said it could be either regular hours or overtime hours depends on the available manpower.

Discussion occurred on grant funding.

Councilmember Hawkins said nothing is changing, and Florence has been doing truck enforcement for quite some time. The ordinance is strictly to retain the monies from the fines rather than forward the monies to the State.

DEPARTMENT REPORTS

Manager's Report

Department Reports

Community Development

Courts

Finance

Fire

Library

Parks and Recreation

Police

Public Works

Ms. Garcia said Ms. Guilin has announced her retirement effective June 21, 2013. She has worked for the Town for 19 years and is sorry to see her go. There will be a solid waste and recycling work session on January 28, 2013, at 5:00 p.m.

Ms. Garcia introduced Mr. Mike Duran, Interim Fire Chief. He has 40 years' experience in fire services and will assist the Town on an interim basis.

Mr. Mike Duran, Interim Fire Chief, stated that he is very happy to assist the Town with the transition. Mr. Jeff Moser has assisted him in getting a feel for the day-to-day operations. The Town has a solid organization and very prideful members. The Town has a very good operation.

Ms. Garcia said the Town is actively recruiting for a Fire Chief.

The Department Reports were received and filed.

CALL TO THE PUBLIC

There were no public comments.

CALL TO THE COUNCIL

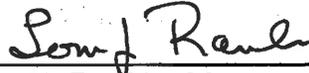
Councilmember Moser did a great job, and the change is due to a personnel technicality. He has done a great job.

Vice-Mayor Smith invited everyone to the Home Tour and to see Tom Mix's car, which has been fully restored, that will be on display at the Pinal County Visitor Center.

Councilmember Walter welcomed Charles A. Montoya and Mike Duran to Florence.

ADJOURNMENT

On motion of Vice-Mayor Smith, seconded by Councilmember Montaño, and carried to adjourn the meeting at 8:04 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 January 22, 2013, and that the meeting was duly called to order and that a quorum was present.



Lisa Garcia, Town Clerk