

MINUTES OF THE FLORENCE TOWN COUNCIL MEETING HELD ON MONDAY, MARCH 2, 2015, AT 5:00 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 5:00 p.m.

ROLL CALL:

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

WORK SESSION ON THE MAY 19, 2015 SPECIAL ELECTION AND THE INFORMATION THAT WILL BE PRESENTED WITH REGARDS TO THE PROPOSITION TO EXCEED THE STATE IMPOSED EXPENDITURE LIMITATION BY A SPECIFIC AMOUNT FOR FISCAL YEAR 2015.2016.

Ms. Lisa Garcia, Deputy Town Manager/Town Clerk, stated that staff has created a presentation regarding the May 19, 2015 Special Election along with a calendar of events denoting meeting dates to present this information to the voters.. She stated the presentation provides information regarding the following topics;

- Special Election
- State Imposed Expenditure Limitation
- Budget Impact
- Budget Development Process
- Summery/recap of the Special Election

Ms. Garcia stated that the Special Election will be a mail ballot election with the publicity pamphlet mailed after April 23, 2015 but before the ballots are mailed. The last day to turn in a ballot is May 19, 2015. She stated that the ballots will arrive in the mail with instructions, postage will be pre-paid and ballots are to be returned using the U.S. postal service.

Ms. Garcia stated that on the Election Day, May 19, 2015, there will not be traditional polling places. She stated Town offices will be open from 6:00 am to 7:00 pm to assist any voters with questions regarding the proposition being voted on or about the election process. She stated if a voter needs to replace their ballot, make a correction to their ballot or would like to drop a ballot off instead of mailing it; they can do so by going to the Pinal County Voter Registration office.

Mr. Michael Farina, Finance Director, reviewed the history of the State Imposed Expenditure Limitation amendment that was approved by voters in 1980. He stated that the State's Economic Estimates Commission annually calculates the State-Imposed Expenditure Limit based on annual population growth and inflation. He stated that the

State Constitution does allow for Town voters to approve an alternative to the state-imposed limitation every four years which is used by many municipalities throughout the State. He stated that the Town has held eight Home-Rule elections from 1982 through 2010 that passed by a wide margin. He stated the August 26, 2014 Home-Rule Option election failed with 51.75% of the voters voting no. The result of the no vote requires the Town to be subject to the state-imposed limitation for at least the next two fiscal years.

Mr. Farina stated that the budget impact of the expenditure limitation will not allow the Town to authorize expenditures above \$17,363,900 (preliminary) which is equivalent to the budget level experienced in 2001 and is a significant reduction in the Town's budget that comes with hefty penalties if the budget is exceeded without prior voter approval. He stated that the expenditure limitation does not impact the revenue the Town collects. He stated that taxes do not increase or decrease and the revenue levels for the Town will not increase or decrease.

Ms. Garcia stated that the Town's Budget Committee has made recommendations to Council if the vote fails on how to meet the expenditure limitations with the following:

- No capital expenditures except those funded by Highway User Revenue Fund or bonds
 - Public infrastructure – roads, streets, water and sewer improvements, equipment
- Completely outsource sanitation services
 - Town would not renew the current contract with RAD
- Eliminate bulk trash and land fill transfer station services
- Reduce Library hours from 55 to 40 hours per week
- Eliminate the before and after school services at both K-8 schools
- Eliminate most special events
- Eliminate the transitional response vehicle (TRV) from the Fire Dept. which services the downtown area, Caliente and Florence Gardens.
- Reduce the number of firefighters on the fire truck from 4 to 3 in Anthem
- Eliminate Crime Prevention/School Resource Officer position
- Reduce aquatic center season and hours
- Eliminate funding for the public arts program
- Reduce police dispatch, street maintenance and building inspection
- Reduce approximately ten additional positions

Ms. Garcia stated that the Budget Committee has also made recommendations to Council if the election passes with the following:

- Maintain current levels of service
- Would not have to reduce or eliminate services
- Complete capital projects (some are two-year projects)

- East 1st Street pavement
- Felix Road and Hunt Highway intersection
- Franklin Road
- Merrill Ranch Parkway resurfacing
- Ruggles Street micro-seal
- Attaway Road and Hunt Highway intersection improvements
- Florence Gardens Phase IV curb, concrete and pavement
- Hunt Highway – American Way to Franklin Road resurfacing
- High school area pavement, curb and sidewalk
- Elementary school area road improvements
- Utility infrastructure improvements

Councilmember Hawkins inquired how many municipalities have previously operated under the Home-Rule Expenditure Limitations.

Ms. Garcia stated that the most recent city to have a Home-Rule fail was Tucson. She stated that Tucson experienced strikes and picketing and were looking at closing fire stations, police sub-stations and the city run transit system: however, Tucson held a special election that allowed for those services to continue.

Vice-Mayor Walter inquired if the Crime Prevention/School Resource Officer position is currently filled.

Mr. Daniel Hughes, Police Chief, stated that the position is currently filled and if the position was eliminated the officer would be placed back on regular patrol.

Mayor Rankin inquired as to what the differences are between the current budget of roughly \$66 million vs. the proposed \$32 million budget for the Fiscal Year 2015-2016.

Mr. Farina stated that the \$15 million dollars being requested of the voters in the special election would allow the Town to continue all services currently being provided and accounts for inflation.

Ms. Garcia stated that historically, the Town's realized expenses have been less than what has been budgeted.

Councilmember Guilin stated that the budget process is an estimate of anticipated expenses for the upcoming year and that actual incurred expenses are and has been less over the years.

Mr. Farina stated the budget for the 2014-2015 Fiscal Year is over \$60 million due to the one-time capital improvements and carry-over projects that will not be financially experienced next year.

Mayor Rankin inquired what would be the total financial reduction in the operating budget based on the recommended reduction in services.

Mr. Farina stated the reduction amount is roughly \$2.5 million in the operating budget and all capital improvement projects.

Mayor Rankin expressed the importance of the Special Election stating that it is important to the progression of the Town to inform the voters that the proposition will not cost them more money and is imperative to sustain the current levels of services provided by the Town.

Councilmember Montaña stated that he believes the presentation is clear and informative providing the voters with the information they need to vote in the Special Elections. He stated that it is important to explain the long-range negative affects a failed vote would have throughout the Town including the services to individual residents but also to the schools, businesses and the overall community lifestyle.

Councilmember Guilin stated that the election is not a budget override where taxes would be increased but a Special Election allowing the Town to spend the money it is already in taxes and revenues.

Mayor Rankin stated that the Town provides a level of services that many of our surrounding communities are not able to and would hate to see that level of service reduced. He inquired if there are any capital improvements planned for the 2015-2016 fiscal year.

Mr. Farina stated that if the election passes then yes there are projects planned and if the election fails, all capital improvement projects that are not funded by HURF or a grant would be put on hold or not completed at all.

Mayor Rankin stated that it is the job of the Town Council to attend the meetings that staff has planned to communicate with the voters and inform them on the Special Election.

Mr. Farina stated the process of developing the budget is a public process and it is important to inform the public that there are several opportunities during the process for the public to provide input on the budget that is being considered.

Mayor Rankin opened the floor for public comment.

Ms. Denise Kollert, Florence Residence, stated that she believes residents will experience a fee increase for services if the proposition to exceed the state-imposed expenditure limitation is not approved by the voters. She stated taxes will not go up but fees associated with services provided by the Town could and most likely would go up.

Mayor Rankin called for a 10 minute recess.

Mayor Rankin reconvened the meeting

MOMENT OF SILENCE

Mayor Rankin called for a moment of silence.

PLEDGE OF ALLEGIANCE

Councilmember Guilin 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.

Ms. Deborah Croft, Florence Residence, stated that she is concerned about the lack of communication regarding the items that are being voted on for the Town. She stated that previous information regarding Home Rule was not clear and was misinterpreted. She stated that Town Council needs to reach out to all communities; planned communities, apartment complexes, rural members and those who are not connected to the internet or may not have cable television. She asked that the Town not rely solely on electronic media for communication of important Town business.

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. **Authorization to purchase a 2015 Vermeer Vacuum Excavator from Vermeer Sales Southwest, in an amount not to exceed \$65,403.88.**
- b. **Recommendation of approval to the Arizona Department of Liquor Licenses and Control on the Pinal County Mounted Posse's application for a Special Event Liquor License for Road to Country Thunder Event on April 4, 2015.**
- c. **Recommendation of approval to the Arizona Department of Liquor License and Control on Kokopelli Moon Saloon's application for a Temporary Extension of Premises Patio Permit.**

- d. Approval to suspend the Town of Florence Special Event Vendor Permit rules and Farmer's Market rules for the Road to Country Thunder event and allow the 100 Club to coordinate the vendors for a fundraiser on April 4, 2015.**
- e. Approval of accepting the register of demands ending January 31, 2015, in the amount of \$3,042,019.433**

On motion of Vice-Mayor Walter, seconded by Councilmember Guilin, and carried to approve the Consent Agenda as written with the exception of items 7a and the removal of 7e. Item 7e. will be placed on the March 16th Council agenda.

- a. Authorization to purchase a 2015 Vermeer Vacuum Excavator from Vermeer Sales Southwest, in an amount not to exceed \$65,403.88.**

Councilmember Anderson inquired as to what a Vermeer Vacuum Excavator was and what it was used for.

Mr. John Mitchell, Utilities Directors, stated the vacuum is a piece of equipment that assists in excavation when repairing a water leak. He stated in past years the Town has rented this piece of equipment and it would be more prudent to purchase the vacuum instead of renting.

Councilmember Hawkins stated that the vacuum allows for excavation in a precise manner that a backhoe does not and it reduces the opportunity to hit utility lines in the location that needs repair.

On motion of Councilmember Anderson, seconded by Vice-Mayor Walter and carried to approve item 7a.

NEW BUSINESS

Discussion/Approval/Disapproval of a Change Order with Apache Underground and Excavation, for waterline improvements in the Turner Subdivision, in an amount not to exceed \$137,147.25.

Mr. Mitchell stated that the project is located north of the high school where gutters and sidewalks are being installed. He stated during the course of this work it was noted that the existing road grades were too high to facilitate a smooth transition between the roadway and the new concrete. In order to facilitate a smooth transition, the existing road grades would have to be lowered. He stated that DBA Construction provided the Town with a deduct change order to eliminate the speed humps and miscellaneous asphalt, and to lower the grade to design elevations. He stated once the grade is lowered, the Town will install a new pavement surface and construct the speed humps.

Mr. Mitchell stated that in discussion with the Finance Department it was determined that the money was available this fiscal year to perform the work therefore staff approached Apache Underground and Excavation who is currently completing the waterline project on Bailey Street who provided an estimate of \$137,147.25.

On motion of Councilmember Montaña, seconded by Councilmember Hawkins, and carried to approve a Change Order with Apache Underground and Excavation, for waterline improvements in the Turner Subdivision, in an amount not to exceed \$137,147.25.

Discussion/Approval/Disapproval affirming the February 5, 2015 recommendation of the Planning and Zoning Commission for the Town of Florence Territory Square Signage Design Review application by approving attached Option #1.

Mr. Mark Eckhoff, Community Development Director, stated that the Planning and Zoning Commission has received concern regarding the signage design for the Territory Square project. He stated that the approved master plan and initial development plans for phase one will help to set the standard of design for the District. The innovative Territory Square Zoning District allows for creativity and flexibility in signage to ensure signage for the project is unique and of the highest quality. He stated that signage is also another tool that can help to brand and market the Territory Square District.

Mr. Eckhoff stated that there are seven signs proposed for the first phase of development including a plaza gateway sign, two wall signs for the Library and Community Center, one wall sign for the Aquatic Center, restroom signs and one directional sign to be located along Main Street. The signage that has received concern is the building signs for the Library and the Aquatic Center along with the directional sign. He stated that the walls signage on the buildings will flow seamlessly with the architectural designs, colors and materials on the buildings being designed in a consistent manner, repeating the weathered steel plates found within the building design as a backdrop to aluminum letters that will match the roof material color. He stated that all wall and directional signs will have lighting to ensure visibility at night.

Mr. Eckhoff stated that the orientation of the signage was originally selected to aid in the overall design of the complex and to add a modern element recognizable in many libraries and aquatic centers across the country. On February 5, 2015, the Planning and Zoning Commission approved Option #1 which is consistent with the preliminary sign concepts shown to the Council and the public. Since this approval, subsequent concerns have been presented about the orientation of the signage on the subject facilities. He stated that the sign options are being presented to Council to either affirm or modify the Commission's recommendation. He stated that all three options are in compliance with applicable Town Codes and all three signs will be aesthetically pleasing and help to enhance the character and branding possibilities for the Territory Square District.

Councilmember Montaña inquired if the sign options contain a combination of Traditional and new.

Mr. Eckhoff stated that all three options have the same lettering and are made of the same material. He stated that option 3 is a more traditional sign orientation whereas option 1 is a bit more unique.

Mayor Rankin stated he was in favor of option #1 recommended by the Planning and Zoning Commission. He stated that this area is a new part of Town, not located in the historical portion of the Town, and needs to reflect as such.

Councilmember Anderson stated he was in favor of option #3 as it was more in line with the traditional theme of the Town.

Councilmember Montaña stated that he would be in favor of an option that combined traditional and new.

Vice-Mayor Walter stated that she had received comments from residents stating that they liked the look of option #3 because it is traditional. She stated that as an educator, with English learning members of our Town, the traditional orientation of the signage is preferred as we all read left to right.

On motion of Councilmember Guilin, seconded by Mayor Rankin, to approve the recommendation of the Planning and Zoning Commission for the Town of Florence Territory Square Signage Design Review application by approving Option #1.

Roll Call:

Mayor Rankin – Yes
Vice-Mayor Walter – No
Councilmember Woolridge – Yes
Councilmember Hawkins – Yes
Councilmember Montaña – No
Councilmember Guilin – Yes
Councilmember Anderson – No

Motion Passed: Yes: 4, No: 3

Ms. Garcia read Resolution No. 1498-15 by title only.

**A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA,
AMENDING THE FLORENCE TOWN COUNCIL RULES OF PROCEDURE,
EFFECTIVE MAY 1, 2015.**

Ms. Garcia stated that Council at the January 26, 2015 Council meeting reviewed the 2012 amendments and directed staff on how to proceed with modifications. The following changes were made to the Rules of Procedure in 2012:

- 4.1 Regular Meetings: Deleted the section that excludes the last meeting in December as a regular meeting. Now regular meetings are the first and third Monday of each month.
- 4.3 Special Meetings:
 - Option 1: Items remains the same: Manager, Mayor or three members of Council may call for a special meeting.
 - Option 2: Manager can set a special meeting. The Mayor or any member of council can request an item be placed on the agenda to discuss with the Council the need for a special meeting and vote on the date and time of the meeting.

Councilmember Anderson stated that he has a concern with the possibility of inadvertently violating the Open Meeting Law if he had to contact more than two other council members to call a special meeting.

Mayor Rankin stated that he was in favor of Option #1 as Option #2 would cause a delay in meeting on the topic for the special meeting.

Mr. Clifford Mattice, Attorney with Dickinson Wright, PLLC, stated that the more councilmembers required to call a special meeting, the more opportunity to inadvertently violate the Open Meeting Law.

Councilmember Montañó stated that he would like to see Option #1 changed to state that the Mayor or two members of Council may call a special meeting.

Councilmember Hawkins stated that he would be in favor of Option #2 which would allow Council to vote on the topic and if it will be placed on an agenda.

Mayor Rankin stated that he believes Option #2 would delay the discussion of the pertinent topic of the council member.

Council agreed to change Option #1 to read that the Mayor or two members of Council may call for a special meeting.

- 4.4 Work Sessions: Work sessions will now be called on Mondays of the month when necessary. This section no longer calls out the second Monday of the month.
- 5.1: Ms. Garcia stated that she will update 5.3 and 7.2 to be consistent with 4.3.

- 6.2 Regular Meeting: The Prayer and Invocation were removed and a Moment of Silence will be added before the Pledge of Allegiance.
- 6.6 Roll Call Attendance: Removed the Mayor; may ask for a motion to excuse those council members absent.
- 6.7 Action Items: Scheduled Public Appearances: Changes the time frame for providing written notice from seven to ten days.
- 7.3 Council Packets: Every effort will be made to distribute packets by Thursday afternoon prior to the meeting. A change from 72 hours to 24 hours for special meeting notices and agendas will be done to be consistent with the Open Meeting Law.

On motion of Councilmember Woolridge, seconded by Councilmember Montañó, and carried to adopt Resolution No. 1498-15 with modifications.

Ms. Garcia read Resolution No. 1499-15 by title only.

A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, ESTABLISHING REGULAR MEETING DATES AND TIMES FOR TOWN OF FLORENCE BOARDS AND COMMISSIONS.

Ms. Garcia stated that this is a resolution that sets the dates and times for all Boards and Commissions for the Town. The resolution is posted in the meeting notice kiosks throughout Town allowing citizens to identify meeting dates and times that they may want to attend.

Mayor Rankin inquired if the Boards and Commissions had an opportunity to review the meeting dates and times to ensure they were consistent with their availability.

Ms. Garcia stated that the Board and Commission Liaisons were provided the schedule to review with their committees. There was one Board that wanted to change their start time to 5:30 p.m. but traditionally it has been Council's theory to have all meetings start at a set time so people wanting to attend a meeting only have to remember what day it is held.

On motion of Councilmember Anderson, seconded by Vice-Mayor Walter, and carried to adopt Resolution No. 1499-15.

Discussion/Approval/Disapproval of the May 19, 2015 Special Election informational presentation as presented (or modified, if applicable).

Ms. Garcia stated that staff is looking for approval from Council on the presentation that was presented.

Councilmember Hawkins inquired if the dates of the meetings will be on the Town website.

Ms. Garcia stated many of the meetings planned are with specific clubs and membership groups that are closed to their members. There will be two public meetings held that anyone can attend that will be advertised through press releases.

Councilmember Hawkins stated that he would like to see all meetings publicized in the newspaper to ensure the members of the clubs and organizations know about the meetings.

On motion of Councilmember Guilin, seconded by Councilmember Hawkins, and carried to approve the May 19, 2015 Special Election information presentation with modification as presented in the March 2, 2015 Council Worksession.

DEPARTMENT REPORT

- a. Manager's Report**
- b. Department Reports**
 - i. Community Development**
 - ii. Courts**
 - iii. Finance**
 - iv. Fire**
 - v. Library**
 - vi. Parks and Recreation**
 - vii. Police**
 - viii. Public Works – Utilities**

The Department Reports were received and filed.

CALL TO THE PUBLIC

Ms. Deborah Croft, Florence Resident, stated that she would like to see the transit system within Town increased with more locations to allow residents more opportunity to be patrons of the businesses in Town and participate more in local events and services.

Ms. Denise Kollert, Florence Resident, stated that she attended the Concert in the Park event and it was excellent and encouraged everyone to support the events.

CALL TO THE COUNCIL

Councilmember Anderson stated that he attended a meeting at Florence Gardens recently and appreciated their hospitality.

Councilmember Montaña stated that he has seen positive comments in social media regarding the repairs that have been completed on the Hunt Highway curve. He stated that the work being done south of the High School is also progressing well and is being noticed by Town citizens.

Vice-Mayor Walter thanked Ms. Deborah Croft for speaking on the need for a better transportation service within the Town. She stated that this is a topic that she is passionate about and looks forward to seeing the service improved.

Mayor Rankin stated that the Historical Society is holding a yard sale and the L and B will be holding a Winter Visitor day this month. He stated the Town's Fishing Derby will be on Saturday and encouraged everyone to attend. He stated that Senator McGuire has proposed a change to the State Statute regarding the Incorporation rules and if the legislation should pass it will cost the Town roughly \$1 million per year. He encouraged citizens to contact Senator McGuire and encourage her to kill her bill as it will be fiscally detrimental to all the towns and cities within Pinal County.

ADJOURNMENT

On motion of Councilmember Hawkins, seconded by Vice-Mayor Walter, and carried to adjourn the meeting at 7:23 pm.

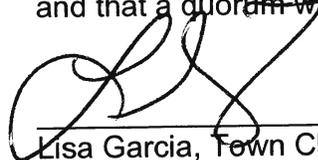


Tom J. Rankin, Mayor

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 March 2, 2015, and that the meeting was duly called to order and that a quorum was present.



Lisa Garcia, Town Clerk