

MINUTES OF THE FLORENCE TOWN COUNCIL MEETING HELD ON MONDAY, NOVEMBER 3, 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 6:04 pm.

ROLL CALL:

Present: Rankin, Smith, Celaya, Hawkins, Montañó, Walter, Woolridge
Absent: Celaya

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.

Ms. Ruth Harrison, Florence Resident, stated that she is in support of the open-air market at Arriola Square. She recommended that the market be called Artisan Market as the products that are sold are handmade and the vendors may qualify for an exception to the licensing fee. She stated that the current location on Main Street draws patrons to downtown Florence.

Ms. Harrison read a letter from Ruby Carter, Florence Resident, which is a current vendor at Arriola Square. The letter was in regards to her not being in support of moving the market, extending the hours, nor have it open during the week.

Ms. Debbie Kerr, Florence Resident, stated that she is a vendor at the Saturday market at Arriola Square and has received comments from her fellow vendors that they are not in favor of moving the market or extending the days and hours. She stated that the market has been at its current location for over 12 years and has a loyal group of patrons. She said moving the market to a side street, extending the hours and days of

operation are counter-productive. She stated that the letter the vendors received has given them the impression that the Town Council is not in favor of the current management of the market. Ms. Kerr recommended that the Town Council appoint a liaison to work with the vendors at the Arriola Square market and work together to make it the best it can be.

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.

***Resolution No. 1483-14:**

Ms. Lisa Garcia, Deputy Town Manager/Town Clerk, read Resolution No. 1483-14 by title only.

A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, ACCEPTING PUBLIC UTILITY AND ROADWAY EASEMENTS RELATED TO THE DEVELOPMENT OF THE JOHNSON RANCH ESTATES PROJECT AND ASSOCIATED INFRASTRUCTURE IN THE SOUTHEAST AREA OF FLORENCE, ARIZONA.

***Authorization to purchase one Chevrolet Tahoe from Midway Chevrolet, in an amount not to exceed \$30,874.52, to be used as a DUI vehicle, per the Arizona Governor's Office of Highway Safety funding award.**

***Approval of accepting the register of demands ending October 31, 2014, in the amount of \$2,654,135.04.**

Councilmember Hawkins stated that the Chevrolet Tahoe for the Police Department is being funded by an outside agency and is not an incurred expense for the Town.

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

UNFINISHED BUSINESS

Ms. Lisa Garcia, Deputy Town Manager/Town Clerk, read Resolution No. 1484-14 by title only.

A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, ESTABLISHING AND ADOPTING AN ADAPTIVE REUSE PROGRAM UNDER THE AUTHORITY GRANTED BY THE ADOPTED TOWN CORE INFILL INCENTIVE PLAN.

Mr. Mark Eckhoff, Community Development Director, stated that staff has made minor changes to the program as a result from the comments of the two work sessions staff

has had with Council and that the Planning and Zoning department. The Planning and Zoning Commission has sent a favorable recommendation to Council based on these changes.

Mr. Eckhoff stated that Adaptive Reuse Program is a tool for the Town to use to facilitate redevelopment and development within the core of Florence. The program utilizes current building codes and provides variances as needed to assist revitalization of older existing properties for new businesses. He stated that under this program, impact fees are also modified for a section of residential homes located in the core of Town.

Councilmember Hawkins inquired if the business owner will have to utilize an architect/engineer to approve building improvement plans and utilize a general contractor to complete the project. He is concerned that such a requirement would increase the costs of building improvements and limit new businesses from opening in the Florence core.

Mayor Rankin stated that he agreed with Councilmember Hawkins. He stated the cost would be a negative impact on businesses trying to open in the core of Florence.

Mr. Eckhoff stated that the building codes that have been adopted are actually more lenient than the State Statutes. He stated that per ARS §32-143, a residential project or a small scale commercial project, would allow for leniency on the submittal requirements. He stated that when you are working with an older building, it is important to utilize an architect/engineer to ensure the building is safe and viable for the proposed business. He stated that the Town must stay compliant with the State Statutes.

Vice-Mayor Smith stated he is concerned that the costs associated with utilizing an architect/engineer to approve plans for modifications to a building is going to stop business owners from moving into the core.

Councilmember Hawkins stated that he has contacted other municipalities who have told him that they do permit owners or tenants to submit hand-drawn plans.

Mr. Eckhoff stated that the Adaptive Reuse Program and the State Statute state for a minor modification, hand-drawn plans are acceptable. He stated that if a modification requires the cutting into walls, changing walls that will alter the structure, it would require certified plans from an architect/engineer.

Mayor Rankin inquired if there is staff can inspect homes that want to modify the structure and determine if the project would be structurally sound.

Mr. Eckhoff stated that there are times that the Town inspectors are asked to do a pre-occupancy inspection. He stated that he would be concerned with the liability of the

Town inspectors doing such inspections or providing advice, as they are not licensed architects or engineers.

Mayor Rankin stated that he thought the basis of the Town Code was to provide advice to the public and to cut back on bad workmanship and unlicensed work being done.

Mr. Eckhoff stated that the Town Codes and the State allow for leniency with residential homes. He stated that businesses that are public establishments have different requirements to ensure the safety of the public. Not all business owners have the knowledge and experience to properly perform construction tasks on their own.

Councilmember Montaña stated that he would be concerned with the Town's liability advising citizens on how to or when it is appropriate for a project to be planned or completed by themselves or by a licensed contractor.

Councilmember Hawkins stated he is most concerned that if the plans meet code, then a certification by an engineer or architect should not be required.

Councilmember Woolridge stated that she believes the Town needs to err on the side of caution as the Town is growing and there are more opportunities to misadvise citizens and would not want the Town to have this type of liability.

Mayor Rankin inquired as to what leniency was made in the Plan regarding fire regulations.

Mr. Eckhoff stated that the concern in previous versions stated specific requirements for fire walls. Working with the Fire Department, International Code, Council, and Local Arizona First, this language has been changed to speak directly to Town Code regarding fire walls based on the structure and the project.

Mayor Rankin inquired if staff has looked into having an architect/engineer services on-call through the municipality which would offer reduced fees to the business owner.

Mr. Eckhoff stated that he is familiar with these types of services, which are found in urban, highly populated areas. He stated that the region currently is not at this point but certainly can be looked at as it grows.

Mayor Rankin inquired if the towns of Coolidge, Casa Grande and Eloy are required to follow the same State Statutes.

Mr. Eckhoff stated that each Town may be on a slightly different version, but the State Statutes apply to all municipalities.

Mayor Rankin stated that it might be possible to combine services with the towns in our area if they are running into a similar situation, which may reduce costs to the citizens.

Councilmember Hawkins inquired what the fees are for an architect/engineer to review plans.

Mr. Eckhoff stated that different fees are charged for residential projects and commercial projects. He stated he would estimate the fees for a commercial project to be approximately \$700. He stated that on the permit form, the individual submitting the project to be permitted fills in the estimated value of the project and usually the estimated value is accurate.

On motion of Councilmember Woolridge, seconded by Councilmember Hawkins, and carried to adopt Resolution No. 1484-14.

NEW BUSINESS

Discussion/Approval/Disapproval of sending the Pinal County Board of Supervisors a favorable recommendation on Pinal County Comprehensive Plan Amendment Case PZ-PA-004-14.

Mr. Mark Eckhoff, Community Development Director, stated that the major amendment to the Pinal County Comprehensive Plan is to amend the Land Use Plan to re-designate 405 acres of land that is adjacent to the Florence boundary from Very Low Density Residential to General Public Facility/Services. He stated that this amendment is a precursor to a subsequent rezoning application that would permit the site to be developed with a solar farm, similar to the Copper Crossing solar project in Florence.

Mr. Eckhoff stated that the 405 acres is located east of Highway 79, south of the Country Thunder event site and northwest of the Arizona State Prison Eyman Complex. He stated that the application received support from Pinal County Planning and Zoning Commission, and has been continued by the Pinal County Board of Supervisors with a review date forthcoming.

Mr. Eckhoff stated that there have been concerns raised regarding the compatibility of the project with surrounding properties, specifically the proposed use of the land and what types of other uses could be permitted under this designation should the solar farm not come to fruition.

Mr. Eckhoff stated that the Town of Florence 2020 General Plan has a land use designation of Employment/Light Industrial on approximately 262 acres of the subject site with the an approximated 142 acres located south of Diversion Dam Road designated as open space. He stated that staff supports the solar farm project but shares the concerns related to the proposed use of the land if the solar farm does not come to fruition. He stated that property owners, developers and Pinal County have heard these concerns and are taking actions to ensure that this site can only be entitled

and developed for the envisioned uses, or action will be taken to revert the land use designation back.

Mr. Eckhoff stated that staff is not concerned with the compatibility issue that has been raised. He stated the biggest concern is water usage. He stated the site's location is in the Gila River floodplain which makes the site unsuitable and unfeasible for residential or typical business/employment development. The Town has supported solar projects in the areas of planned residential and mixed use developments and no incompatibility issues have been presented to this date.

Mr. Eckhoff stated if the property is annexed into Florence, there would be a positive fiscal impact for the Town otherwise; the County would be collecting all fees associated with the development of the solar farm. Staff has determined all concerns regarding the proposed amendment change, and they have been addressed and are consistent with the Towns' General Plan land use for the property.

On motion of Vice-Mayor Smith, seconded by Councilmember Hawkins, and carried to approve sending a favorable recommendation to the Pinal County Board of Supervisors on Pinal County Comprehensive Plan Amendment Case PZ-PA-004-14.

DEPARTMENT REPORT

Manager's Report

Department Reports

Community Development

Courts

Finance

Fire

Library

Parks and Recreation

Police

Public Works

Utilities

The Department Reports were received and filed.

CALL TO THE PUBLIC

Ms. Ruth Harrison, Florence Resident, clarified her earlier statement by stating that she believes the vendors at the Arriola Square market would like to remain at their current location on Main Street and continue to be open on Saturday's only.

CALL TO THE COUNCIL

Councilmember Montañó inquired the following:

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- Is there is a fee for the vendors to participate in the market?
- Will there be a fee in the future to participate in the market?
- What is the reasoning behind moving the location, day of the week and times of the market?
- Is the Arriola Square market organization part of the Chamber of Commerce?

Councilmember Walter stated the change may not be beneficial for all. She stated that traditionally open-air markets are held on the weekend and there is not another open-air market within 20 miles of Florence.

Councilmember Hawkins thanked all those who attended the Padilla Park dedication and the groundbreaking ceremonies for the new library.

Vice-Mayor Smith reminded everyone to vote on Tuesday, November 4, 2014.

Mayor Rankin stated that the Florence High School and the Coolidge High School football teams will be playing off on Friday for the Division IV title, as well as the Florence Girls Volleyball team will be playing in the State Tournament. He stated that the Florence High School Junior Varsity Football team went undefeated for the second year in a row.

Mayor Rankin stated that the Town of Florence is growing and changing and that includes the Arriola Square Market. He stated that in order to ensure the future of the market and the sustainability of the market; it must expand and draw in more vendors. He visited the Arriola Square market last Saturday and did not see the level of patrons the Town had hoped for by creating the market and placing it on Main Street.

Mayor Rankin stated that the election on Tuesday, November 4, 2014 is an important election and hopes everyone will come out and vote.

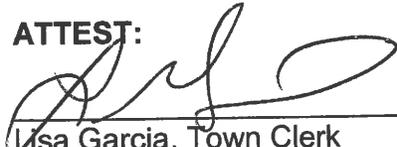
ADJOURNMENT

On motion of Councilmember Hawkins, seconded by Councilmember Woolridge, and carried to adjourn the meeting at 7:02 pm.



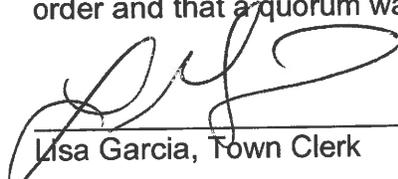
Tom J. Rankin, Mayor

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 November 3, 2014, and that the meeting was duly called to order and that a quorum was present.



Lisa Garcia, Town Clerk