

MINUTES OF THE FLORENCE TOWN COUNCIL MEETING HELD ON MONDAY, OCTOBER 20, 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, Montaña, Walter, Woolridge

INVOCATION

Mayor Rankin called for a moment of silence

PLEDGE OF ALLEGIANCE

Mayor Rankin led the Pledge of Allegiance

CALL TO THE PUBLIC

Call to the Public for public comment on issues within the jurisdiction of the Town Council. Council rules limit public comment to three minutes. Individual Councilmembers may respond to criticism made by those commenting, may ask staff to review a matter raised or may ask that a matter be put on a future agenda. However, members of the Council shall not discuss or take action on any matter during an open call to the public unless the matters are properly noticed for discussion and legal action.

Ms. Ruth Harrison, Florence resident, stated that she felt the design plans for the library need to be reviewed for better light structures, elements for the building and better shade structures for the windows. She stated that she would like to see the public have the opportunity to review the design plans with these recommendations before they are approved.

PRESENTATION

County Attorney Lando Voyles presentation on domestic violence and the new Family Advocacy Center in San Tan Valley, Arizona.

Mr. Lando Voyle, Pinal County Attorney, stated that the Family Advocacy Center is building a new facility in San Tan Valley which will provide services to women and children in a non-abrasive environment. He stated that clients are able to receive services within a 24-hour time frame ranging from police interviews, medical and mental health services, clothing vouchers and relocation assistance, if needed. Mr. Voyle

stated that prosecutions of these offences serviced in the Eloy facility have increased due to collection of the information and evidence needed within 24 hours of notification.

Mr. Voyle commended Police Chief Daniel Hughes for the training that has been done with the Florence police officers to better identify crimes against women and children. He stated that the training has increased the ability of officers to identify crimes against women and children which in turn has helped to reduce the opportunity for these crimes to be escalated or repeated.

Mr. Voyle stated that the grand opening of the Family Advocacy Center will be on December 3, 2014.

Mayor Rankin inquired if there are enough safe homes available for women and children who have experienced these crimes.

Mr. Voyle stated that there are not enough safe homes in the area to meet the demand. He stated that the safe homes and shelters are full to capacity. He stated that law enforcement is identifying these crimes at a higher rate which is increasing the demand for these services and shelters in the area.

Councilmember Montañó stated that he would like to thank Mr. Voyle for approaching the Arizona Public Safety Foundation to participate in the development of the Family Advocacy Center in the San Tan Valley.

Mr. Voyle stated that he is thankful for the Arizona Public Safety Foundation and the community for teaming up with Pinal County to build the Center.

Presentation by Greater Florence Chamber of Commerce recognizing Service Masters as the Business of the Month.

Mr. Jim Gilloon, Office Manager, Greater Florence Chamber of Commerce, recognized Service Masters, as the business of the month for October, 2014. Services Masters has been a member of the Chamber of Commerce for three years, and has been a loyal and dedicated member of the Chamber and has provided service to the Town of Florence.

Mr. Rick Lester, owner of Service Master, accepted the award and thanked the Chamber and Council for the recognition. He stated that the company was founded by his father-in-law, Mr. Ed Smith. Service Master provides 24 hour emergency services as well as carpet and tile cleaning throughout Pinal County.

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 the purchase of one (1) Tymco 600 Regenerative Air Sweeper for the Public Works Department from H&E Equipment Services.**

***Approval to reimburse Electrical District No. 2 for the relocation of poles to accommodate road widening and signalization on Diversion Dam Road and State Highway 79 intersection, in an amount not to exceed \$53,307.84.**

***Approval of the September 2 and September 15, 2014 Town Council minutes.**

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

- i. August 20, 2014 Joint-Use Library Advisory Board minutes.**
- ii. June 19, July 10, and September 4, 2014 Planning and Zoning Commission minutes.**

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

UNFINISHED BUSINESS

Update from Parks and Recreation Director Bryan Hughes on the Library and Recreation Complex Construction Project.

Mr. Bryan Hughes, Parks and Recreation Director, stated that the design development documents have been completed and are currently being reviewed by staff and the project manager. He stated that the design development documents were presented to the Joint-Use Library Advisory Board, Parks and Recreation Advisory Board, and the Planning and Zoning Commission with favorable recommendation from each to be forwarded to the Council. He stated that this phase of the project is on schedule.

Ms. Denise Kollert, Chairperson of the Joint-Use Library Advisory Board, stated that the Advisory Board reviewed the design for the new library/recreational facility and, with a unanimous vote, will be forwarding a letter of support for the design development documents.

Mr. Jeff Denzak, Swaback Partners, stated that the approach to the Territory Square Project is to build it in phases, with Phase I being the library and aquatics facilities. He stated that the approach to Phase I and future phases is how each phase will affect future projects and the impact it will have on the overall environment.

Mr. Denzak stated that the strategy to resolve the issues related to the flood plain associated with the 40 acres, known as Town Square, is to raise the grade of the parcel three to four inches by bring in dirt from the parcel just north of the 40-acre parcel.

Mr. Denzak stated that the development of the design characteristics and elements of the master plan has been to create focal points that preserve and reflect the prairie and

ranch history of Florence. He stated that Phase I will serve as the entryway into Territory Square, and as such, the Design Team has taken consideration in the selection of materials to be used for the buildings and roofs, creating multi-level focal points at street level and pedestrian views.

Mr. Denzak stated that a master plan such as Territory Square will be a project that will change and evolve as each phase is built. He stated by creating a visual overlay of what future projects may look like now, it will create the framework needed to ensure each phase complements the other.

Mayor Rankin inquired how many acres the Town owns beyond the 40 acres currently put aside for Territory Square. He also inquired if the land that will supply the dirt to raise the grade will ever be developed.

Mr. Mark Eckhoff, Community Development Director, stated that the majority of the land that the Town owns is north of River Road. He stated that the Town owns land west of the 40 acres and estimates the total amount of land that can be developed is approximately 100 acres. He stated that the remainder of the land will be undeveloped, tiered open space which includes the area that the dirt will be coming from.

Councilmember Hawkins inquired if raising the land grade by four feet will resolve the flood plain issue. He inquired if the privately owned land, surrounding the 40 acres, will need to be raised as well.

Mr. Eckhoff stated that the private land, adjacent to the Town's parcel, will need to be raised out of the flood plain once it is approved by FEMA.

Councilmember Montañó inquired if raising the land grade to get it out of the flood plain will be for the 100 year flood plain or the 500 year flood plain.

Mr. Eckhoff stated that the raising of the land grade, which is closer to three feet, will remove the land from all FEMA flood plains.

Councilmember Walter inquired which FEMA flood plain would the land be lifted out of if the land grade is raised by three feet.

Mr. Wayne Costa, Public Works Director, stated that three feet will keep the parcel one foot out of all of the flood plains.

Mr. Aaron Babcock, Hidell Architects, stated that the gateway to the Territory Square Plaza is located on the southeast corner of the parcel with the library to the north. He stated that west of the plaza is the future recreation building, and continuing west is the aquatic center and the soccer fields. He said directly behind these areas will be parking for all of the facilities.

Mr. Babcock stated that the area is flat and dirt will be moved to the parking areas to create detention basins in the soccer fields which will collect drainage for the 40 acre parcel.

Mr. Babcock stated that the landscaping on the project will consist of Chinese Pistache trees, Ruella and Desert Museum Hybrid Palo Verde.

Mayor Rankin inquired as to the difference between the Desert Museum Hybrid Palo Verde tree and the regular Palo Verde tree. He inquired if the tree were able to remain rooted during a storm.

Mr. Eckhoff stated that the Desert Museum tree has been cross-bred to reduce the amount of flowers and shedding that a regular Palo Verde does and it has a stronger root base to keep the tree more stable during a storm. He stated that these are conceptual and staff can research various options for landscaping.

Councilmember Hawkins inquired as to what size trees will be planted.

Mr. Eckhoff stated that, budget permitting, larger trees such as a 24-inch or 48-inch box can be used in the plaza.

Vice-Mayor Smith stated that the large trees by the Florence Museum would be beautiful to use in the plaza.

Mr. Bryan Hughes, Parks and Recreation Director, stated that staff has discussed using larger trees, especially in the plaza area, which will create shade quicker.

Councilmember Montañó stated that the Desert Museum Palo Verde is a hybrid of the Blue Palo Verde. He stated that when the yellow flowers bloom, which are the state flower, along with the poppy, it will add to the aesthetic environment of the area.

Councilmember Walter inquired if the use of fruit trees for the Phase I project was considered.

Mr. Hughes stated that the use of fruit trees were not considered as the focus of the landscape program is to use low water, low maintenance vegetation with a pop of color.

Mr. Babcock stated that the shared plaza space between the library and the recreational center allows for access to project rooms. He stated this unique feature provides efficient utilization of the rooms and programming opportunities. The aquatic center has a bathhouse and leisure pool with sunshades that leads into an area for swim lessons. It also has eight lane competition pool, two slides and a dive well.

Mr. Babcock stated that in-line with the master plan; the plaza element is now the backdrop for Territory Square as you approach from the south. The building design

came from the cultural history of Florence, utilizing it in a modern way. The idea is to allow pedestrians walking by to see what is happening in the library and to allow patrons of the library to enjoy the plaza.

Mr. Babcock stated that the library will be approximately 27,000 square feet, broken down into smaller components, which will break down into smaller components, allowing the building to appear as if it was made up of several smaller buildings, mimicking the store fronts of old downtown.

Mayor Rankin stated he did not like the sharpness of the building.

Councilmember Hawkins stated he does not like the look of the buildings and they might look better if arches were added to soften the appearance.

Councilmember Walter inquired about the following: how the glass of the windows will stand up to rocks or other objects thrown at them; window coverings to defuse glare; cleaning of the windows in regards to the labor needed on a daily basis; and the safety level of having so much glass on the building.

Mr. Babcock stated that there are many evacuation options for the facility in case of any form of danger that would require the facility to be evacuated. He stated that the glass windows will have a 1 inch low-E coded glaze, which means the two pieces of glass are argon filled which insulates the window. Each window will have a slight bronze tint which enhances the efficiency of the building by reflecting the radiant heat. The windows will have exterior shading to reduce glare. All glass that is used at ground level must be tempered and is heat treated which becomes strong so when a rock or other object hits it, it will shatter instead of breaking into large pieces. He stated that the library is a public building and the material that is being proposed is durable, efficient and beautiful.

Councilmember Walter inquired as to what the warranty is on the windows.

Mr. Babcock stated that the warranty is will be on the glazing and the frame system. He stated that building as a whole has a one year warranty.

Councilmember Montañó inquired if the area on the top of the building was glass.

Mr. Babcock stated that the area in question is glass acting like a skylight allowing natural light into the library.

Vice-Mayor Smith inquired if there are going to be benches in the plaza.

Mr. Babcock stated that the plaza will have bench seating built into the walls.

Councilmember Montañó inquired if there are drinking fountains planned. He said with the volume of patrons that will be using the facility, exterior drinking fountains will be needed.

Mr. Babcock stated there are not any exterior drinking fountains, but drinking fountains can be addressed. He stated that the plaza will have conduit running into the area for future installation of electrical and audio video wiring.

Councilmember Hawkins inquired if the concerns stated this evening can be addressed prior to the construction starting in November.

Mr. Bryan Hughes stated that simultaneously with the design review packet, staff is working on construction documents that can be completed and started on while the design review packet is completed. He stated that by having a mixture of building materials for the library, it will allow for a significant savings, which maximizes the budget for the project to its fullest.

Councilmember Hawkins stated that he would like to see more arches and more of a southwest design added to the building.

Mayor Rankin asked staff to come up with design alternatives to reflect the concerns of the Council. He inquired why a flat roof is being used.

Councilmember Celaya stated that he likes the look of the project as a whole but would like to see more continuity with the landscaping that is exiting on Main Street and a smoother transition from the Main Street corridor into the Square.

Mr. Babcock stated that the design team will review the comments and will provide Council with options. He stated that flat roofs are being used as they provide a way to hide the HVAC systems for the building.

Mr. Hughes stated that staff and the design team will provide design options based on the review this evening at the November 3, 2014 regular Council meeting.

NEW BUSINESS

Discussion/Approval/Disapproval of the resignation of Jeff D. Wooley from the Planning and Zoning Commission with regrets and authorization for staff to advertise board and commission vacancies.

Mr. Mark Eckhoff, Community Development Director, stated that Mr. Wooley has served the Town for 14 years and thanked him for his years of service.

Mr. Jeff Wooley, Planning and Zoning Commission Chairperson, thanked the Council for allowing him to be a part of the development process of Florence.

Mayor Rankin stated that Mr. Wooley has served on the Commission providing leadership and support for the development of the Town.

Councilmember Hawkins stated that Mr. Wooley has been a professional asset to the Planning and Zoning Commission and will be missed.

Councilmember Woolridge stated that she appreciated Mr. Wooley's outstanding efforts on the Commission.

Councilmember Montañó thanked Mr. Wooley for his service on the Planning and Zoning Commission and stated that Mr. Wooley is also very involved in the Florence school system.

On motion of Councilmember Hawkins, seconded by Councilmember Walter, and carried to approve the resignation of Jeff D. Wooley from the Planning and Zoning Commission with regrets and authorization for staff to advertise board and commission vacancies.

Discussion/Approval/Disapproval of entering into a contract with R.K. Sanders, Inc., for Diversion Dam Road-Street Improvements Project, in an amount not to exceed \$1,021,985.10.

Mr. Wayne Costa, Public Works Director, stated that the contract is for the widening of Diversion Dam Road. He stated that the \$1,021,985.10 includes road widening, road construction, curbs and gutters, storm drainage and street lighting. He stated that the project is funded by the HURF Capital Improvement Plan which provides for the reconstruction of Diversion Dam Road to a major collector and providing for intersection improvements onto State Highway 79. He stated that CCA has contributed 33% of the expense of this project. He stated that a coincidental ADOT project provides for a traffic signal to allow entry onto State Highway 79 with a pre-emptive signal sensor on 1st Street for emergency vehicles.

Councilmember Hawkins inquired if the traffic light installation will run concurrent with the road widening project.

Mr. Costa stated that the installation of the traffic light will occur during the road widening project with a completion date of mid-May early June 2015.

Vice-Mayor Smith inquired if the irrigation equipment on the south east corner of Diversion Dam Road and Highway 79 will be relocated.

Mr. Costa stated that the equipment will be relocated.

Councilmember Montaña inquired if the ingress and egress into the Shell Station will be hindered.

Mr. Costa stated that the road widening project will run east, past the Super Star and McDonalds ingress and egress points. He stated that the project will create concrete curbing that will stop the parking of vehicles at the intersection of Diversion Dam Road and Highway 79. He stated that there will be intermittent left turn lanes on Diversion Dam Road down to Bowling Road to allow access to business.

Councilmember Montaña inquired if the current ditches will be redeveloped.

Mr. Costa stated that lateral detention basins will be installed along the north and south sides of Diversion Dam Road. There will also be an outlet on the north side to accommodate excess storm water.

Mayor Rankin inquired as to where the excess water would go.

Mr. Costa stated that there is an existing drainage ditch that goes through Pinal County property and into an existing retention pond.

Mayor Rankin inquired if the APS power pole on 1st Street and Highway 79 is being moved.

Mr. Costa stated that moving APS power pole is not part of the project.

Councilmember Hawkins inquired if the water is being sent into the Pinal County retention pond.

Mr. Ken Martin, Willdan Engineering, stated that the water will go from the north side of Diversion Dam Road into the ditch. He stated the capacity of the ditch is sufficient for the storm water experienced in this area but they have not reviewed the capacity of the Pinal County retention pond.

Mr. Costa stated that the meter flow in the area and installation of the dry wells on the north side of Diversion Dam will alleviate the flooding in this area.

Councilmember Hawkins inquired if there are flooding issues currently at the intersection of Diversion Sam Road and Highway 79.

Mr. Costa stated that the area is experiencing flooding during heavy rains. He stated that the project will address the storm water by installing the lateral dry wells on the north and south sides of Diversion Dam Road.

Councilmember Montaña inquired if GEO Corrections has contributed to the widening project of Diversion Dam Road, just as CCA has.

Mr. Costa stated that GEO has not contributed to this project.

Mayor Rankin inquired if there is a business inquiring about a building behind McDonald's, and if so, are they in favor of this project.

Mr. Costa stated that there is a business looking at building behind McDonald's and they are agreeable to a single entrance and exit to their facility.

On motion of Councilmember Walter, seconded by Councilmember Hawkins, and carried to enter into a contract with R.K. Sanders, Inc., for Diversion Dam Road Street Improvements Project, in an amount not to exceed \$1,021,985.10.

Discussion/Approval/Disapproval of entering into a lease agreement with the Florence Mosaic Church of the Nazarene (Florence Fudge Company) for the Silver King Marketplace, Suite 102.

Ms. Jennifer Evans, Management Analyst, stated that the Florence Mosaic Church of the Nazarene has operated the Florence Fudge Company in the Silver King Marketplace for four years. They are the longest standing tenant of the Silver King Marketplace. She stated that the Florence Fudge Company currently leases Suite 101 and would like to move to Suite 102 which would allow them to expand their operations, expand their menu, and start offering a dinner menu on Friday nights. They also plan to be open during special events at Padilla Park and expand their catering services to accommodate larger events.

Ms. Evans stated that the issue regarding the collection of the Transaction Privilege Tax for the Town of Florence has been resolved. She stated that the proposed use of Suite 102 as a restaurant conforms to existing Downtown Commercial zoning and adheres to the Silver King Marketplace Lease Policy.

Mayor Rankin stated that he believes the Florence Fudge Shop has done a wonderful job in developing their business and thanked them for resolving the tax issue with the Town.

On motion of Vice-Mayor Smith, seconded by Councilmember Walter, and carried to enter into a lease agreement with the Florence Mosaic Church of the Nazarene (Florence Fudge Company) for the Silver King Marketplace, Suite 102.

Ms. Doretta Allison, Mosaic Church Board Appointed Project Supervisor, stated that the Florence Mosaic Church of the Nazarene is very excited to have Padilla Park as their neighbor and looks forward to future business growth.

Resolution No. 1473-14:

Mr. Charles A. Montoya, Town Manager, read Resolution No. 1473-14 by title only.

**A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA,
ADOPTING REVISIONS TO THE TOWN OF FLORENCE PERSONNEL POLICY.**

Mr. Scott Barber, Human Resources Director, stated that staff has been reviewing the Florence Personnel Policy, inclusive of the Drug and Alcohol Policy. He stated that staff determined the need to expand the language in the Personnel Policy document to ensure the Town takes full advantage of the liability protection provided by the Arizona Revised State Statutes creating a good-faith standard regarding drug and alcohol issues. He stated that the proposed revision is to Article II, Section 216; Employee Drug/Alcohol Testing. He stated that staff also discovered typographical errors in Policy Article IX, Section 903; Administrative Suspension, that needs to be corrected.

Councilmember Walter inquired as to what the original language is versus the proposed new language. She inquired if the new language would violate the Health Insurance Portability and Accountability Act (HIPAA).

Mr. Barber stated that change that is being requested expands the language, taking specifics from the Arizona Revised Statutes, specifying what type of testing will be conducted and under what circumstances. He stated that HIPAA does not shield an employee from the responsibility of disclosing to their supervisor any medically prescribed or over-the-counter medication that may potentially impair the safe performance of his/her duties.

Councilmember Celaya stated that he believes that Pinal County uses an Occupational Health Nurse that intervenes in those types of situations and makes the determination if the employee is fit to perform their job while on the medication.

Councilmember Hawkins stated that he believes it is appropriate to have employees communicate directly with their supervisors regarding any medications that might hinder them to perform their job safety.

Councilmember Walter inquired how medical marijuana would impact the Drug and Alcohol policy regarding testing of employees. She inquired if an Intergovernmental agreement could be made with Pinal County to share resources for an Occupational Health Nurse.

Mr. Barber stated that the laws of the State of Arizona regarding medical marijuana do not protect an employee. He stated the laws of the State of Arizona state that an employee may not use or be "under the influence" of marijuana on the job. He stated the Town does not have an Occupational Health Nurse on staff to utilize in this process.

Councilmember Hawkins stated he does not believe the Town needs to utilize an Occupational Health Nurse to review medications of employees under the Drug and Alcohol Policy.

Mayor Rankin stated that he believes the recommendation as written is appropriate. He stated that staff can look into the opportunities to share Occupational Health Nurse services with Pinal County.

Councilmember Celaya requested that HIPAA be explained.

Mr. Barber stated that HIPAA protects individuals' medical information. He stated for the Town, HIPAA responsibility is for the Fire Department, emergency medical treatment, providing the protection of collected medical information. He stated in the Town's Human Resources Department, the responsibility for HIPAA applies to employee health insurance.

Councilmember Montaña stated that he thinks working with an Occupational Health Nurse is good practice with the Drug and Alcohol Policy.

On motion of Councilmember Woolridge, seconded by Councilmember Hawkins, and carried to adopt Resolution No. 1473-14.

MANAGER'S REPORT

Councilmember Woolridge inquired if Padilla Park is a pet park.

Mr. Montoya stated that animals are required to be on a leash and pet owners are obligated to clean up after their pets. He stated that there is a recommendation to install pet waste disposal stations.

CALL TO THE PUBLIC

Ms. Denise Kollert, Florence Resident, stated she believes pet owners need to be educated on their responsibility to clean up after their animals.

Ms. Ruth Harrison, Florence Resident, stated she had spoken to the Jeff Denzak and Aaron Babcock regarding her concerns with the design element of the new library. She stated that Mr. Babcock would provide Council with modification options of the elements. She stated that Saturday, October 25, 2014 is "Make a Difference Day", and requested that the Town utilize staff to clean up the bulk trash from the public right-of-ways.

CALL TO THE COUNCIL

Councilmember Montaña stated that he was looking at the Town logo and the element that Ms. Harrison is concerned about it representative of elements in the Town logo. He stated that Florence Park and Recreation Department will be sponsoring its first hike in the Superstition Mountains in November.

Councilmember Walter reminded everyone of the upcoming election and encouraged everyone to vote.

Mayor Rankin stated he would like to remind all citizens to be professional and courteous when working with Town staff.

ADJOURNMENT

On motion of Councilmember Woolridge, seconded by Councilmember Hawkins, and carried to adjourn the meeting at 8:25 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 October 20, 2014, and that the meeting was duly called to order and that a quorum was present.



Lisa Garcia, Town Clerk