

**MINUTES OF THE FLORENCE TOWN COUNCIL MEETING HELD ON MONDAY, OCTOBER 5, 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 5:02 pm.

**ROLL CALL:**

Present: Rankin, Woolridge, Hawkins, Guilin, Anderson, Wall.  
Vice-Mayor Walter arrived at 5:10 pm.

**ADJOURN TO EXECUTIVE SESSION**

An Executive Session will be held during the Council Meeting for the following legal matters: as follows:

For the purpose of discussion and consultation with the Town's attorneys for legal advice and to consider the Town's position and instruct its attorneys in regard to pending litigation in Maricopa County Superior Court: Town of Florence v. Florence Copper, Inc. CV 2015-0001325, pursuant to A.R.S. Section 38-431.03(A)(3) and (A)(4).

For the purpose of discussion of the direction and duties of the Interim Town Manager, pursuant to A.R.S. Section 38-431.03(A)(1).

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

**ADJOURN FROM EXECUTIVE SESSION**

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

**MOMENT OF SILENCE**

Vice-Mayor Walter 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.**

Mr. Jim Tchida, Florence resident, stated that he attended the CIP Forum and felt the intent of the forum was good and he was able to share his thoughts. He is concerned that the Town does not have a clear strategic intent with the 10-year Capital Plan. He stated that he would recommend Council and staff to put together a clear strategic plan that can be presented to the new Town Manager, when they join the Town, and to the citizens of Florence.

#### **PUBLIC HEARING AND PRESENTATION**

**Public hearing on a request by Piero Buccellato for approval of an application proposing a zone change on approximately .36 acres of land, located at 680 East 1st Street, Florence, Arizona, from Neighborhood Multi- Family Zoning District to Highway Business Commercial Zoning District and First reading of Ordinance No. 640-15.**

Ms. Lisa Garcia, Interim Town Manager/Town Clerk, read Ordinance No. 640-15 by title only.

**AN ORDINANCE OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, APPROVING A ZONE CHANGE ON .36 ACRES, FROM NEIGHBORHOOD MULTIPLE FAMILY ZONING DISTRICT TO HIGHWAY BUSINESS COMMERCIAL ZONING DISTRICT (APN 200-47-001B).**

Mr. Mark Eckhoff, Community Development Director, stated that Piero and Paolo Buccellato have purchased two properties off of 1<sup>st</sup> Street and State Route 79. The eastern lot is zoned for Highway Business Commercial Zoning District (B-2) and the western lot is zoned for Neighborhood Multi-Family Zoning District (R-2). He stated that the intent of the application is to rezone the R-2 zoned property and then expand on to the existing development on the B-2 lot. He said they would add parking, landscaping and other needed improvements. He stated that the request is consistent with the 2020 General Plan. The Planning and Zoning Commission has forwarded a unanimous favorable recommendation.

Councilmember Anderson inquired if the additional parking would be paved.

Mr. Eckhoff stated that the business owners have the choice to either create a paved parking area or use alternative substances that meet the Pinal County Air Quality Standards which is consistent with the Adaptive Reuse Policy Council approved previously. He stated that any ADA or handicap parking would have to be paved.

Councilmember Anderson stated that he would prefer to see the parking lot be paved as he believes it would add to the quality of the business and the standards of the Town.

Mayor Rankin opened the public hearing. There were no comments. Mayor Rankin closed the public hearing.

### **Presentation of Fire Quarterly Activity Schedule for the Fourth Quarter 2015.**

Ms. Garcia stated that Mr. David Strayer, Fire Chief, submitted the 4<sup>th</sup> Quarter Activity Schedule for the Fire Department. She stated that she was very impressed by the report and wanted Council to see it.

Mr. David Strayer, Fire Chief, stated that the Department revisits its Purpose Statement, Vision and Values each quarter to remind the staff and crews of why they are here, who they are and why they do what they do. Chief Strayer presented the following:

- Calendar of Events - Special events that have requested participation or assistance from the Fire Department over the next three months.
- Meetings – Captains and standing committees that meet quarterly that are tasked with researching their assigned program areas and developing recommendations based on best practices/national standards for adoption by Florence Fire/Medical.
- Training –
  - Multi-Company Drills – a series of mutual aid multi-company drills are scheduled to take place during the first three week in December. The drills will be held at Central Arizona College's burn building.
  - CCA Fire Post Incident Analysis – mutual aid departments will be invited to participate in full analysis of the fire recapping the incident, challenges, lessons learned and follow up plan.
  - Professional Development – through Central Arizona College the crew is taking two Fire Science courses; Fire Service Ethics and Building Construction. This program is a no-cost program to either the student or the Florence Fire Department. This is a volunteer program to allow crew members to obtain college credit and enhance their educational

opportunities. These classes are requirements for the succession/promotional plan of the Department.

- Special Projects
  - Records Management – completing an analysis of current protocols and investigating new and improved systems. Complete full implementation of the Emergency Reporting (ERS) records management program which tracks response times and other critical information.
  - Configure Target Solutions – a tracking system that records fire department ISO training and other training records including tracking EMS recertification, daily training and drills. This transition will begin in the 1<sup>st</sup> quarter of 2016, transferring training records from all other sources.
- Fire Hydrant Annual Service – ensure functionality, complete inspections, lubricate and flow check on all assigned fire hydrants and enter that data into ERS. All six crews will be trained and conducting these tests starting in October and continue through the end of December. All hydrants will be inspected by Fire Department personnel each year during the 4<sup>th</sup> Quarter.
- Health and Wellness Safety Message – Everyone Goes Home program is being introduced this quarter which promotes a culture of health and safety among firefighters.
- Support Services – routine maintenance on equipment this quarter; compressor service/air sampling, hose testing, ladder and pump testing.
- Florence Fire History – November 22, 1929 article from the Arizona Blade Tribune reporting a fire at the Post Office.

Councilmember Anderson inquired if there was anything Council could do to support the continuance of the contract with Central Arizona College (CAC) regarding the Fire Services classes.

Chief Strayer stated that staff has provided CAC with several options that would allow for the program to continue. He said the feedback that has been received is not encouraging and with the current issues that the CAC Board of Directors is facing at this time, staff does not have any other avenues to proceed with.

Councilmember Anderson inquired if it would not be beneficial to send a letter to the CAC Board of Directors supporting the continuance of the training contract.

Mayor Rankin stated that it would be in the best interest of the Town to allow the CAC Board to work out its business and address this training agreement at a later date.

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Councilmember Wall inquired as to whom would be responsible for repair of deficiencies that are found during the hydrant testing as the hydrants are owned by the Town, Johnson Utilities and some by private citizens.

Chief Strayer stated that the owner of the hydrants would be responsible for their hydrants. He stated that normally the Fire Department does not test privately owned hydrants; however there is a discussion occurring as to how those hydrants will be handled. He stated that Johnson Utilities has been notified of the testing.

Mr. Wayne Costa, Public Works Director, stated that the Town has one known hydrant that is not working in the downtown area and staff is working to have it repaired. There are plans to install additional hydrants in the downtown area which will occur as funding permits and ISO rating needs are worked out. He stated that the owners of private hydrants are notified of the testing and advised of any deficiencies that are identified.

Mayor Rankin inquired as to where the privately owned hydrants are located.

Mr. Costa stated that privately owned hydrants are located on Pinal County owned land as well as at the old hospital building located on Adamsville Road and the Florence Heights Apartments.

Mayor Rankin inquired if a review is done during development planning regarding hydrant location and ownership.

Chief Strayer stated that during the planning process, the Fire Department does review plans to ensure the number of hydrants and their location is appropriate for the development. He said it is the responsibility of the land owner to maintain their hydrants.

Mr. Costa stated that the hydrants in the Anthem area are located within easements to allow for the utility company and the Town to access them and maintain them as needed.

**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.**

**Approval of Change Order No. 3 with Garney Construction, in an amount not to exceed \$5,563, for a total project cost of \$1,696,921, and extending the project completion date to November 30, 2015.**

**Acceptance of a grant of \$95,193.66 from the Tohono O'odham Nation for the purpose of purchasing advanced life support equipment to be used by the Florence Fire Department.**

**Approval of the Greater Florence Chamber of Commerce application for a Special Event Liquor License for the Business After-Hours Mixer event on November 5, 2015, at McFarland State Park.**

**Proclaim October 2015 as National Community Planning Month in the Town of Florence and highlight the contributions, sound planning, and plan implementation to make resilient communities.**

**Approval of accepting the register of demands ending August 31, 2015, in the amount of \$2,945,648.21.**

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

## **NEW BUSINESS**

### **Resolution No. 1566-15:**

Ms. Garcia read Resolution No. 1566-15 by title only.

### **A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, AMENDING THE FLORENCE TOWN COUNCIL RULES OF PROCEDURE, EFFECTIVE NOVEMBER 5, 2015.**

Ms. Garcia stated that Council adopted changes to the Rules of Procedure on September 21, 2015. Immediately after adoption, staff noticed additional changes that should be made to change Section 17.1 Compliance and Enforcement to separate sanctions for Council, boards and commission members. She stated that the major difference is that Council is elected by the public and may not be removed for a code of ethics violation. Board and commission members are appointed by Council and may be sanctioned or removed from the board or commission for an ethics violation. She stated the proposed language change clarifies the ramifications of an ethics violation and separates Council from the boards and commissions.

On motion of Councilmember Guilin, seconded by Councilmember Woolridge, and carried to adopt Resolution No. 1566-15.

**Discussion/Approval/Disapproval to ratify and approve the terms of engagement for legal services and engagement agreement with Gust Rosenfeld, P.L.C., for legal representation of the Town in the pending litigation against Florence**

**Copper, Inc. (Town of Florence v. Florence Copper, Inc., Case No. CV2015-000325).**

Mr. Clifford Mattice, Town Attorney, stated that the primary lawyer representing the Town in the pending litigation resigned from the law firm of Dickinson Wright, PLLC, and joined the law firm of Gust Rosenfeld, P.L.C. He stated that the former Town Manager retained Gust Rosenfeld, P.L.C. to represent the Town in the litigation against Florence Copper, Inc. The requested action approves and ratifies the Town's engagement of Gust Rosenfeld, P.L.C. for legal representation and related services.

On motion of Councilmember Anderson, seconded by Vice-Mayor Walter, to ratify and approve the terms of engagement for legal services and engagement agreement with Gust Rosenfeld, P.L.C., for legal representation of the Town in the pending litigation against Florence Copper, Inc.

**DEPARTMENT REPORTS**

**Manager's Report**

- Department Reports**
- Community Development**
- Courts**
- Finance**
- Fire**
- Library**
- Parks and Recreation**
- Police**
- Public Works**

Councilmember Hawkins inquired as the validity of a recent letter to the editor in the newspaper regarding low water pressure in the north end of Town since the installation of the new water tank.

Mr. Costa stated that the northern areas serviced by the north end water facility were experiencing a lower than normal water pressure due to an additional water line that was planned to be installed and was not. He stated that two of the four booster pumps have been increased and a budgetary item is being requested that would install an eight inch water line from the water tank to Pennsylvania Ave.

Councilmember Wall inquired as to what traffic control devices were installed in Anthem at Merrill Ranch.

Mr. Costa stated that the Public Works department has installed oversized stop signs, additional signage that a stop sign is approaching and pavement markers at the

intersection of Sun City Boulevard and Constitution Way in response to concerns regarding the visibility of the stop signs at this intersection.

Councilmember Wall inquired as to what the speed notification equipment is being utilized for in Anthem as it working intermittently.

Mr. Daniel Hughes, Police Chief, stated that the equipment has had battery problems in the past. The equipment will be serviced to resolve the inconsistency of the equipment.

Councilmember Anderson complimented the Department Managers for doing an outstanding job in controlling expenses as the financial report shows that the Town is currently 4% under budget.

### **CALL TO THE PUBLIC**

There were no comments.

### **CALL TO THE COUNCIL – CURRENT EVENTS ONLY**

Councilmember Anderson thanked the Tohono O’odham Nation for their recent grant money, the Department Managers for their informative reports and the Fire Chief for the presentation and updates on the departments’ activities. He made a recommendation that page numbers and dates be added to all department reports to allow easier referencing during review and discussion.

Councilmember Guilin thanked Ms. Rosemary Bebris, Library Director, and Mr. Bryan Hughes, Parks & Recreation Director, for the successful grand opening event of the Library/Community Center. She stated that the attendance was excellent and the citizens were very happy.

Councilmember Hawkins agreed with Councilmember Guiling and stated that the cross-section of citizens who attended the grand opening was great to see.

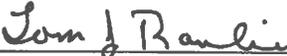
Councilmember Woolridge stated that the grand opening was great and that she had the opportunity to thank the Tohono O’odham Nation Chairman personally for their donation to the Town and their partnership with the community.

Mayor Rankin stated that the Territory Square project, Aquatic Center, Library and Community Center is not only providing a beautiful and useful facility for the citizens of Florence but is attracting guests and other municipalities who want to see what Florence has done. The projects are moving the Town in the direction the Town needs to continue to go. He stated that Florence will be turning 150 years old next year and planning for this celebration will start soon.

**ADJOURNMENT**

**Council may go into Executive Session at any time during the meeting for the purpose of obtaining legal advice from the Town's Attorney(s) on any of the agenda items pursuant to A.R.S. § 38-431.03(A)(3).**

On motion of Councilmember Hawkins, seconded by Councilmember Woolridge, and carried to adjourn the meeting at 7:03 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 5, 2015, and that the meeting was duly called to order and that a quorum was present.

  
\_\_\_\_\_  
Lisa Garcia, Town Clerk

