

ACTION MINUTES

MINUTES OF THE TOWN OF FLORENCE COUNCIL MEETING HELD ON MONDAY, AUGUST 20, 2018, AT 6:00 P.M., IN THE FLORENCE TOWN COUNCIL CHAMBERS, LOCATED AT 775 N. MAIN STREET, FLORENCE, ARIZONA.

1. CALL TO ORDER

Mayor Walter called the meeting to order at 6:00 pm.

2. ROLL CALL:

Present: Walter, Woolridge, Hawkins, Guilin, Anderson, Wall, Larsen.

3. MOMENT OF SILENCE

4. PLEDGE OF ALLEGIANCE

On motion of Councilmember Hawkins, seconded by Councilmember Larsen, and carried (7-0) to adjourn to Executive Session.

On motion of Councilmember Wall, seconded by Councilmember Hawkins, and carried (7-0) to adjourn from Executive Session.

5. 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.

6. PRESENTATIONS

- a. Presentation by Margaret Boone, P.E., Maricopa Association of Governments Project Manager, on the Florence K-8, and Anthem K-8, Safe Routes to Schools Studies. (Jennifer Evans)
- b. Active Transportation Plan Presentation. (Bryan Hughes)
- c. Recognition of Noah Rudko, Development Services Intern. (Chris Salas)
- d. Recognition of Matthew Fredette, Economic Development Intern. (Jennifer Evans)
- e. Bruce Long, representing Five-Parks, presenting concerns on the Fire Code portion of the International Building Codes.
- f. Strategic Plan Update (Ben Bitter)

7. 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. Acceptance of the Florence K-8, and Anthem K-8, Safe Routes to Schools (SRTS) Studies. (Jennifer Evans)
- b. Approval of a contract with Rottweiler Controls, LLC, to provide SCADA repairs and maintenance through the Cooperative Contract #31700019, with the City of Buckeye, through June 30, 2019, in an amount not to exceed \$50,000. (Chris Salas)
- c. Approval of the purchase of Insta-Valve 250 Patriot insertion valves through Hydra-Stop, through June 30, 2019, in an amount not to exceed \$100,000. (Chris Salas)
- d. Approval to contract with Pro-Tec Environmental Inc., to provide sewer line cleaning through June 30, 2019, in an amount not to exceed \$100,000. (Chris Salas).
- e. Approval of the July 3, July 16, July 18, July 20, and July 30, 2018 Town Council Meeting minutes.
- f. Receive and file the following board and commission minutes:
 - i. April 25, 2018 Historic District Advisory Commission Minutes
 - ii. May 3, 2018 Parks and Recreation Advisory Board Minutes

On motion of Councilmember Hawkins, seconded by Councilmember Guilin, and carried (7-0) to approve the Consent Agenda, as written.

8. UNFINISHED BUSINESS

- a. Resolution No. 1675-18: Second reading and Discussion/Approval/Disapproval of A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, ADOPTING SMALL WIRELESS FACILITIES IN TOWN RIGHTS OF WAY TERMS AND CONDITIONS. (Larry Harmer)

On motion of Councilmember Guilin, seconded by Councilmember Anderson, and carried (7-0) to adopt Resolution No. 1675-18.

- b. Ordinance No. 662-18: Second reading and Discussion/Approval/Disapproval of AN ORDINANCE OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, AMENDING THE TOWN OF FLORENCE CODE OF ORDINANCES TITLE XV "LAND USAGE" CHAPTER 150 OF THE DEVELOPMENT CODE, EXISTING SECTIONS 150.031 "DEFINITIONS" AND "PART 9 WIRELESS COMMUNICATIONS FACILITIES" SECTIONS 150.180 TO 150.184, (CASE PZ 18-21 ORD). (Larry Harmer)

On motion of Councilmember Hawkins, seconded by Councilmember Guilin to adopt Ordinance No. 662-18.

Roll Call Vote:

Councilmember Hawkins: Yes

Councilmember Guilin: Yes
Councilmember Anderson: Yes
Councilmember Wall: Yes
Councilmember Larsen: Yes
Vice-Mayor Woolridge: Yes
Mayor Walter: Yes

Motion passed: Yes: 7; No: 0

- c. Ordinance No. 663-18: Second reading and Discussion/Approval/Disapproval of AN ORDINANCE OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, AMENDING THE TOWN OF FLORENCE CODE OF ORDINANCES TITLE XI "BUSINESS REGULATIONS", BUT NOT LIMITED TO, NEW PROVISIONS REGARDING SMALL WIRELESS FACILITIES AND RATES AND FEES FOR USE OF THE PUBLIC RIGHT OF WAY AND TOWN STRUCTURES, (CASE PZ 18-22 ORD). (Larry Harmer)

On motion of Councilmember Anderson, seconded by Councilmember Larsen, and carried to adopt Ordinance No. 663-18.

Roll Call Vote:

Councilmember Anderson: Yes
Councilmember Larsen: Yes
Councilmember Hawkins: Yes
Councilmember Guilin: Yes
Councilmember Wall: Yes
Vice-Mayor Woolridge: Yes
Mayor Walter: Yes

Motion passed: Yes: 7; No: 0

- d. Ordinance No. 664-18: Second reading and Discussion/Approval/Disapproval of AN ORDINANCE OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, AMENDING CHAPTER 32 OF THE FLORENCE TOWN CODE BY ADDING SECTION § 32.200 ET SEQ., ESTABLISHING A YOUTH COMMISSION IN THE TOWN OF FLORENCE. (John Nixon)

On motion of Vice-Mayor Woolridge, seconded by Councilmember Hawkins, to adopt Ordinance No. 664-18.

Roll Call Vote:

Vice-Mayor Woolridge: Yes
Councilmember Hawkins: Yes
Councilmember Guilin: Yes
Councilmember Anderson: Yes
Councilmember Wall: Yes
Councilmember Larsen: Yes
Mayor Walter: Yes

Motion passed: Yes: 7; No: 0

9. NEW BUSINESS

- a. Resolution No. 1662-18: Discussion/Approval/Disapproval of A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, AUTHORIZING THE SALE OF THE REMAINING PLOTS OF BLOCK 29 OF THE TOWN OF FLORENCE CEMETERY TO THE TOHONO O'ODHAM NATION, RESCINDING RESOLUTION NO. 544-96, AND ESTABLISHING FUTURE RATES FOR CEMETERY SERVICES AT THE THEN PREVAILING RATE. (Benjamin Bitter)

On motion of Councilmember Guilin, seconded by Councilmember Wall, and carried (7-0) to adopt Resolution No. 1662-18.

- b. Discussion/Approval/Disapproval to enter into a contract with Cactus Transportation, dba: Cactus Asphalt, using the Cooperative Contract, through Pinal County JOC Contract #173923 Asphalt Maintenance & Repair Services, which includes the application of Chip Seal Binder: Polymer Modified Asphalt Rubber and FOG Seal Binder for pavement preservation treatment, in an amount not to exceed \$364,018.24 (Proposal \$316,537.60 with a 15% contingency, \$47,480.64.) (Chris Salas)

On motion of Councilmember Guilin, seconded by Councilmember Wall, and carried (7-0) to enter into a contract with Cactus Transportation, dba: Cactus Asphalt, using the Cooperative Contract, through Pinal County JOC Contract #175923 Asphalt Maintenance & Repair Services, which includes the application of Chip Seal Binder: Polymer Modified Asphalt Rubber and FOG Seal Binder for pavement preservation treatment, in an amount not to exceed \$364,018.24 (Proposal \$316,537.60 with a 15% contingency, \$47,480.64.)

- c. Discussion/Approval/Disapproval of the 2018 American Medical Response (AMR) Non-Exclusive Revocable License Agreement for temporary housing at Florence Fire Station 542. (David Strayer)

On motion of Councilmember Guilin, seconded by Councilmember Hawkins, and carried (7-0) to approve the 2018 American Medical Response (AMR) Non-Exclusive Revocable License Agreement for temporary housing at Florence Fire Station 542.

10. MANAGER'S REPORT

11. CALL TO THE PUBLIC

12. CALL TO THE COUNCIL – CURRENT EVENTS ONLY

13. ADJOURN TO EXECUTIVE SESSION

Discussion and possible action to authorize the holding of an Executive Session during the Council Meeting for the purposes of discussions or consultations with designated representatives of the public body and/or legal counsel pursuant to A.R.S. Sections 38-431.03 (A)(1), (A)(3), (A)(4) and (A)(7) to consider its position and instruct its representatives and/or attorneys regarding:

- a. Town's position and instruct its attorneys regarding the Petition for Review of Underground Injection Control Permit, issued by USEPA Region 9, for the Florence Copper Project, UIC Appeal 17-03, and related proceedings, including Ninth Circuit appeals of the 1997 Aquifer Exemption (Case No. 17-73170), and the decision of the Environmental Appeals Board (Case No. 17-73168).
- b. Town's position and instruct its attorneys regarding Arizona Department of Environmental Quality proceedings, related to Water Quality Appeals Board Case No. 16-002, including appellate proceedings to reviewing courts.
- c. Town's position and instruct its attorneys regarding pending litigation in Maricopa County Superior Court: Town of Florence v. Florence Copper, Inc. CV2015 -000325.
- d. Discussion or consultations regarding the Town of Florence Intervention in the Matter of the Commission's Investigation into the Billing Practices and Water Quality Issues of Johnson Utilities, LLC before the Arizona Corporation Commission (WS-02987A-18-0050).
- e. Discussion or consultations regarding the Town of Florence Intervention in the Matter of the Commission's Investigation into the rate case of Johnson Utilities, LLC before the Arizona Corporation Commission (WS02987A-17-0392).
- f. Discussion or consultation regarding Southeast Valley Regional Cooperative Intergovernmental Agreement for the Management, Operations and Planning for Effluent, Water and Wastewater Treatment Services in the Region between the Town of Florence and the Town of Queen Creek.
- g. Possible discussions and contract negotiations with Artisan Acres for the proposed development agreement.
- h. Duties as assigned to the Town Manager.
- i. Discussion or consultations regarding the Town of Florence use of International Technical Codes including Fire Codes and Town Codes.

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

14. ADJOURN FROM EXECUTIVE SESSION

On motion of Councilmember Guilin, seconded by Councilmember Larsen, and carried (7-0) to adjourn from Executive Session.

15. ADJOURNMENT

On motion of Councilmember Guilin, seconded by Councilmember Larsen, and carried (7-0) to adjourn the meeting at 10:24 p.m.

Posted this 21st day of August 2018, on the Town of Florence website at www.florenceaz.gov by Maria Hernandez, Deputy Town Clerk.