

ACTION MINUTES

MINUTES OF THE TOWN OF FLORENCE COUNCIL SPECIAL MEETING OF THE FLORENCE TOWN COUNCIL HELD ON MONDAY, OCTOBER 15, 2018, AT 5:00 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 5:00 pm.

2. ROLL CALL:

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

Absent: Guilin

3. ADJOURNMENT TO EXECUTIVE SESSION

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)(3) and (A)(4) to consider its position and instruct its representatives and/or attorneys regarding:

- a. Town's position and instruct its attorneys regarding pending litigation in the U.S. District Court for the District of Arizona: (Case No. CV-14-01304-PHX-DMF) Walt Hunter and Jarris A.H. Varnrobinson VonZombie v. Town of Florence, et al.

On motion of Councilmember Anderson, seconded by Councilmember Hawkins, and carried (6-0) to adjourn to Executive Session.

4. ADJOURNMENT FROM EXECUTIVE SESSION

On motion of Councilmember Larsen, seconded by Councilmember Wall, and carried (6-0) to adjourn from Executive Session.

5. MOMENT OF SILENCE

6. PLEDGE OF ALLEGIANCE

7. 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.

8. WORK SESSION ON LAND USE ASSUMPTIONS, INFRASTRUCTURE IMPROVEMENTS PLAN, AND DEVELOPMENT FEE UPDATE. (Carson Bise, TischlerBise)

9. PRESENTATION

- a. Presentation of Letters of Appreciation and Challenge Coins from the Fire Department to Mr. and Mrs. Kruthaupt. (Dave Strayer)

10. 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. Approval of the purchase of three Police Interceptors from San Tan Ford, for a total not to exceed amount of \$96,706.14. (Joe Jarvis)
- b. Acceptance of the 2018 Homeland Security Grant Program Subrecipient Agreement 180303-01, from Arizona Department of Homeland Security, in the amount of \$36,798, for the Florence Public Safety Interoperable Communications Project. (Jennifer Evans)
- c. Authorization to contract with Centimark, for replacement and repairs of the Police Department and Fitness Center roofs using the Mohave Contract #13XCTMK-0417 in an amount \$51,393.70, plus a 15% contingency, for a total not to exceed amount of \$59,102.76. (Chris Salas)
- d. Authorization for the Town Manager to execute a Cooperative Purchasing Agreement with the City of Tucson. (Joe Jarvis)
- e. Authorization to enter into an Intergovernmental Agreement, with Pinal County, to provide Commercial Driver's License Testing Services. (Chris Salas)
- f. Notice of Change to Task Order, issued on April 23, 2018, to WestLand Resources, for Task Assignment to perform an Environmental Assessment of two parcels the Town is proposing to acquire from the Bureau of Land Management for the expansion of the Poston Butte Preserve. This item is Information Only. (Bryan Hughes/Chris Salas)
 - i. Responses to the Request for Proposal were received on March 7, 2018, for an Environmental Assessment for the Poston Butte Expansion Project and was awarded to Westland Resources. Council entered into an Extension to the On-Call Engineer Contract on October 3, 2018.
- g. Approval of the September 4 (Work Session), September 4, September 7, September 17 and September 24, 2018 Town Council Meeting minutes.
- h. Receive and file the following board and commission minutes:
 - i. May 10, 2018 Arts and Culture Commission Minutes
 - ii. August 16, 2018 Planning and Zoning Commission Meeting minutes.

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

11. NEW BUSINESS

- a. Resolution No. 1682-18. Discussion/Approval/Disapproval of A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, APPROVING THE MAP OF DEDICATION FOR SUN CITY BOULEVARD – PHASE 2. (Larry Harmer)

On motion of Vice-Mayor Woolridge, seconded by Councilmember Wall, and carried to adopt Resolution No. 1682-18.

- b. Discussion/Approval/Disapproval of awarding a contract to Regional Pavement Maintenance of Arizona, Inc., to mill and replace asphalt for CIP T-60, East 1st Street Improvement Project, in an amount not to exceed \$755,544.80 under Job Order Contract (JOC) 2014-007 for the City of Buckeye. (Chris Salas)

On motion of Councilmember Wall, seconded by Councilmember Larsen, and carried to award a contract to Regional Pavement Maintenance of Arizona, Inc., to mill and replace asphalt for CIP T-60, East 1st Street Improvement Project, in an amount not to exceed \$755,544.80 under Job Order Contract (JOC) 2014-007 for the City of Buckeye.

- c. Discussion/Approval/Disapproval of awarding a contract to Apache Underground & Excavating, LLC, to do work associated with the Community Development Block Grant water line replacement project, in an amount not to exceed \$632,625.00. (Chris Salas)

On motion of Councilmember Anderson, seconded by Councilmember Larsen, and carried to award a contract to Apache Underground & Excavating, LLC, to do work associated with the Community Development Block Grant water line replacement project, in an amount not to exceed \$632,625.00.

- d. Authorization directing the Town's Attorneys to pursue the instructions given in Executive Session relating to U.S. District Court for the District of Arizona (Case No. CV-14-01304-PHX-DMF) Hunter, Varnrobinson Vonzombie v. Town of Florence et. al. (Cliff Mattice)

On motion of Councilmember Wall, seconded by Councilmember Hawkins, and carried to authorize directing the Town's Attorneys to pursue the instructions given in Executive Session relating to U.S. District Court for the District of Arizona (Case No. CV-14-01304-PHX-DMF) Hunter, Varnrobinson Vonzombie v. Town of Florence et. al.

12. SPECIAL MEETING WITH THE HISTORIC DISTRICT ADVISORY COMMISSION TO REVIEW AND TAKE ACTION ON ITEMS PERTAINING TO KOKOPELLI MOON SALOON PROPERTY LOCATED AT 255 N. MAIN STREET, FLORENCE, ARIZONA. (Lisa Garcia)

- a. Historic District Advisory Commission Roll Call:

Present: Wheeler, Adam, Reid, Smith, Schmidt, Novotny, Knight

- b. Discussion and possible action of the Historic District Advisory Commission to support an emergency demolition permit, abatement, remediation, removal and disposal of any structures (including debris) formerly constituting the Kokopelli Moon Saloon, Tax Parcel No. 200-49-017A located at 255 N. Main Street, Florence, Arizona.

On motion of Commissioner Reid, seconded by Commissioner Smith, and carried (7-0) to support an emergency demolition permit, abatement, remediation, removal and disposal of any structures (including debris) formerly constituting the Kokopelli Moon Saloon, Tax Parcel No. 200-49-017A, located at 255 N. Main Street, Florence, Arizona, and if feasible, to save the building.

- c. Discussion and Possible action to authorize the Town Manager to use the City of Tucson Contract No. 18194601 Job Order for Demolition Services to solicit, negotiate, and enter into a contract with the selected vendor(s) in an amount not to exceed \$300,000 for demolition, abatement, remediation, removal and disposal of any structures (including debris) formerly constituting the Kokopelli Moon Saloon (APN 200-49-017A) located at 255 N. Main Street, Florence.

On motion of Vice-Mayor Woolridge, seconded by Councilmember Wall, and carried (6-0) to authorize the Town Manager to use the City of Tucson Contract No. 18194601 Job Order for Demolition Services to solicit, negotiate, and enter into a contract with the selected vendor(s) in an amount not to exceed \$300,000 for demolition, abatement, remediation, removal and disposal of any structures (including debris) formerly constituting the Kokopelli Moon Saloon (APN 200-49-017A) located at 255 N. Main Street, Florence, to possibly save the building.

- d. Discussion and possible action of the Florence Town Council authorizing the Town Manager, the Town's Attorneys and other representatives of the Town, on behalf of the Town of Florence, without further order of the Mayor and Common Council of the Town, to do all such acts and things, including full prosecution seeking demolition, remediation, abatement, removal and disposal of any structures (including debris) formerly constituting the Kokopelli Moon Saloon, Tax Parcel No. 200-49-017A located at 255 N. Main Street, Florence, Arizona (the "Property") and to pursue any and all actions including executing, filing and delivering all such notices, assessments, complaints, appeals, liens, certificates, recordings, filings, pleadings, correspondence, proceedings, agreements and other documents as may be necessary or convenient to be executed, filed and delivered on behalf of the Town in order to carry out the demolition, abatement, remediation and removal of any structures (including debris) formerly constituting the Kokopelli Moon Saloon, including the assessment, recording, lien, foreclosure, sale or purchase of the Property to satisfy liens.

On motion of Vice-Mayor Woolridge, seconded by Councilmember Wall, and carried (6-0) to authorize the Town Manager, the Town's Attorneys and other representatives of the Town, on behalf of the Town of Florence, without further order of the Mayor and Common Council of the Town, to do all such acts and things, including full prosecution seeking demolition, remediation, abatement, removal and disposal of any structures (including debris) formerly constituting the Kokopelli Moon Saloon, Tax Parcel No. 200-49-017A located at 255 N. Main Street, Florence, Arizona (the "Property") and to pursue any and all actions including executing, filing and delivering all such notices, assessments, complaints, appeals, liens, certificates, recordings, filings, pleadings, correspondence, proceedings, agreements and other documents as may be necessary or convenient to be executed, filed and delivered on behalf of the Town in order to carry out the demolition, abatement, remediation and removal of any structures (including debris) formerly constituting the Kokopelli Moon Saloon, including the assessment, recording, lien, foreclosure, sale or purchase of the Property to satisfy liens.

13. MANAGER'S REPORT

14. CALL TO THE PUBLIC

15. CALL TO THE COUNCIL – CURRENT EVENTS ONLY

16. 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). One or more members of Council may appear for part or all of the meeting including Executive Session telephonically.

On motion of Councilmember Anderson, seconded by Councilmember Hawkins, and carried (6-0) to adjourn the meeting.

On motion of Commissioner Adam, seconded by Commissioner Novotny, and carried (7-0) to adjourn the meeting.

The meeting was adjourned at 8:34 p.m.

Posted this 16th day of October 2018, on the Town of Florence website at www.florenceaz.gov by Maria Hernandez, Deputy Town Clerk