

## ACTION MINUTES

**MINUTES OF THE TOWN OF FLORENCE COUNCIL MEETING HELD ON MONDAY, MARCH 18, 2019, 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 p.m.

### **2. ROLL CALL:**

**Present: Tara Walter, John Anderson, Bill Hawkins, Karen Wall, Kristen Larsen, Michelle Cordes, Judy Hughes.**

### **3. WORK SESSION ON THE TOWN OF FLORENCE DEVELOPMENT IMPACT FEES AND THE TOWN'S NOTICE OF INTENT TO INCREASE FEES.**

### **4. MOMENT OF SILENCE**

### **5. PLEDGE OF ALLEGIANCE**

### **6. 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.

### **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. Approval of Addendum Two Modification of the Lease Agreement dated June 1, 2017, between the Town of Florence, and Sharon Grier, owner of What's Upstairs. (Jennifer Evans)
- b. Ratification of extending a professional services contract with Colibryn, for permit support and training with a total contract amount not to exceed \$35,000. (James Allen)
- c. Approval of the 2019 Town of Florence Title VI Implementation Plan. (Jennifer Evans)
- d. Authorization for Mayor Walter to join other regional mayors in signing a letter of support for the pay increases for both public and private correctional employees in the Fiscal Year 2020 State budget. (Ben Bitter)
- e. Approval of the temporary Utility Payment Deferment Program for furloughed Federal government employees. (Joe Jarvis)

- f. Ratification of the election of William Bruin as an Employee Representative on the Town of Florence Public Safety Personnel Retirement System Fire Local Board for a period of four years. (Scott Barber)
- g. Authorization to dispose of Town vehicles and equipment that are no longer needed and/or have outlived their useful life. (Joe Jarvis)
- h. Approval of the February 4 and February 19, 2019 Town Council Meeting minutes.
- i. Receive and file the following board and commission minutes:
  - 1. January 17, 2019 Arts and Culture Commission Meeting minutes
  - 2. January 30, 2019 Historic District Advisory Commission Meeting minutes
  - 3. January 17, 2019 Planning and Zoning Commission Meeting minutes

**On motion of Vice-Mayor Anderson, seconded by Councilmember Cordes, and carried (7-0) to approve the Consent Agenda as written, with the exception of Item a and Item b.**

- a. Approval of Addendum Two Modification of the Lease Agreement dated June 1, 2017, between the Town of Florence, and Sharon Grier, owner of What's Upstairs. (Jennifer Evans)

**On motion of Vice-Mayor Anderson, seconded by Councilmember Wall, and carried (6-0; Councilmember Hughes recused herself as she was a previous tenant of the Silver King Marketplace) to approve Addendum Two Modification of the Lease Agreement dated June 1, 2017, between the Town of Florence, and Sharon Grier, owner of What's Upstairs.**

- b. Ratification of extending a professional services contract with Colibryn, for permit support and training with a total contract amount not to exceed \$35,000. (James Allen)

**On motion of Councilmember Cordes, seconded by Councilmember Wall, and carried (7-0) for ratification of extending a professional services contract with Colibryn, for permit support and training with a total contract amount not to exceed \$35,000.**

## **8. UNFINISHED BUSINESS**

- a. Resolution No. 1690-19: Discussion/Approval/Disapproval of A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, APPROVING THE FINAL PLAT FOR ANTHEM AT MERRILL RANCH UNIT 33; AND AUTHORIZING EXECUTION BY THE TOWN MANAGER OF SUPPORTING DOCUMENTS. (Larry Harmer)

**On motion of Councilmember Hawkins, seconded by Councilmember Wall, and carried (7-0) to adopt Resolution No. 1690-19.**

## **9. NEW BUSINESS**

- a. Resolution No. 1691-19: Discussion/Approval/Disapproval of A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, VACATING, ABANDONING AND TRANSFERRING TITLE TO THE RIGHT-OF-WAY FOR A PORTION OF NORTH PARK STREET ADJACENT TO THE ABUTTING PROPERTY OWNERS LOCATED AT 157

NORTH PARK STREET (“WEST”), AND APPROVING AND ACCEPTING THE COMPENSATION PAID BY THE ABUTTING PROPERTY OWNER AND OTHER CONSIDERATION FOR THE RIGHT-OF-WAY. (Chris Salas)

**On motion of Councilmember Wall, seconded by Councilmember Hawkins, and carried (7-0) to adopt Resolution No. 1691-19.**

- b. Discussion/Approval/Disapproval to adopt the Policy Guidelines and Application Procedures for the Establishment of Community Facilities Districts. (Joe Jarvis)

**On motion of Councilmember Hawkins, seconded by Councilmember Larsen, and carried (7-0) to adopt the Policy Guidelines and Application Procedures for the Establishment of Community Facilities Districts.**

## **10. PUBLIC HEARINGS AND PRESENTATIONS**

- a. Public Hearing on the Town’s Development Impact Fees and Notice of Intent to Increase Fees and first reading of Ordinance No. 672-19: AN ORDINANCE OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, AMENDING TITLE XV – LAND USAGE, CHAPTER 150 AMENDING, SECTIONS § 150.280(C) (D) (G) (H) and (K), ADOPTING NEW IMPACT FEES PURSUANT TO ASSUMPTION AND INFRASTRUCTURE IMPROVEMENT PLAN, ADOPTED ON JANUARY 7, 2019, BY APPROVING RESOLUTION NO. 1685-19. (Lisa Garcia)

**Mayor Walter opened the public hearing. Mayor Walter closed the public hearing.**

- b. Public Hearing to receive citizen’s comments on rezoning from Neighborhood Office (NO) to Highway Business (B-2) for 470 South Main Street, Florence, Arizona, APN 202-09-0010; and first reading of Ordinance No. 671-19: AN ORDINANCE OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, APPROVING THE HIGHWAY BUSINESS COMMERCIAL (B-2) ZONE CHANGE LOCATED AT 470 SOUTH MAIN STREET, APN 202-09-0010 (PZ-19-15). (Larry Harmer)

**Mayor Walter opened the public hearing. Mayor Walter closed the public hearing.**

- c. Public Hearing on an application received from Leslie Bentley, Sun City Anthem at Merrill Ranch, for a Class A Bingo License, located at 3925 N. Sun City Boulevard, Florence, Arizona, and for Council recommendation for approval or disapproval of said license.

**Mayor Walter opened the public hearing. Mayor Walter closed the public hearing.**

**On motion of Councilmember Hawkins, seconded by Vice-Mayor Anderson, and carried 7-0) to forward approval for a Class A Bingo License, located at 3925 N. Sun City Boulevard, Florence, Arizona.**

- d. Proclamation declaring April 21, 2019 as PowerTalk 21® Day. (Lisa Garcia)

**Mayor Walter proclaimed April 21, 2019 as PowerTalk 21® Day.**

- e. Presentation on Florence Alerts and Public Emergency Notification. (Ben Bitter)

## **9. NEW BUSINESS (CONTINUED)**

- c. Discussion/Approval/Disapproval to enter into a contract with Cactus Asphalt (a division of Cactus Transport, Inc.), 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, for the Town of Florence CIP T-69 Pavement Preservation Project, in an amount not exceed \$103,420.74. (Chris Salas)

**On motion of Vice-Mayor Anderson, seconded by Councilmember Wall, and carried (7-0) to enter into a contract with Cactus Asphalt (a division of Cactus Transport, Inc.), 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, for the Town of Florence CIP T-69 Pavement Preservation Project, in an amount not exceed \$103,420.74.**

- d. Discussion/Approval/Disapproval to enter into a professional services contract with EUSI, LLC, for Public Works Management Support and Consulting Services with a new term to expire on June 30, 2020; approval of Task Order 6 in an amount not to exceed \$109,500. (Chris Salas)

**On motion of Councilmember Hawkins, seconded by Councilmember Hughes, and carried (7-0) to enter into a professional services contract with EUSI, LLC, for Public Works Management Support and Consulting Services with a new term to expire on June 30, 2020; approval of Task Order 6 in an amount not to exceed \$109,500.**

- e. Discussion/Approval/Disapproval to enter into a contract with Arizona Correctional Industries, for repairs to the Silver King Hotel deck, handrails and stairway and replacement of materials including prep for concrete at the west patio by using State Statute § 41-2636, in an amount not to exceed \$53,418.30. (Chris Salas)

**On motion of Councilmember Wall, seconded by Councilmember Cordes, and carried (6-0; Councilmember Hughes recused herself as she was a previous tenant of the Silver King Marketplace) to enter into a contract with Arizona Correctional Industries, for repairs to the Silver King Hotel deck, handrails and stairway and replacement of materials including prep for concrete at the west patio by using State Statute § 41-2636, in an amount not to exceed \$53,418.30.**

## **11. LEGISLATIVE UPDATE**

## **12. MANAGER'S REPORT**

## **13. CALL TO THE PUBLIC**

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

## **15. 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), (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 Arizona Department of Environmental Quality proceedings, related to Water Quality Appeals Board Case No. 16-002, including appellate proceedings to reviewing courts.
- b. Town's position and instruct its attorneys regarding pending litigation in Maricopa County Superior Court: Town of Florence v. Florence Copper, Inc. CV2015-000325.
- 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 including those actions related to said litigation as authorized by Ordinance. No. 592-13.
- d. Discussion of Notice of Claim received on January 25, 2019.

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

#### **16. ADJOURNMENT FROM EXECUTIVE SESSION**

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

#### **17. ADJOURNMENT**

**On motion of Councilmember Hawkins, seconded by Councilmember Larsen, and carried (7-0) to adjourn the meeting at 8:39 pm.**

**Posted this 19<sup>th</sup> day of March 2019, on the Town of Florence website at [www.florenceaz.gov](http://www.florenceaz.gov) by Maria Hernandez, Deputy Town Clerk.**