

**MINUTES OF THE TOWN OF FLORENCE COUNCIL MEETING OF THE FLORENCE TOWN COUNCIL HELD ON MONDAY, MARCH 4, 2019, AT 6:00 P.M., IN THE FLORENCE TOWN COUNCIL CHAMBERS, LOCATED AT 775 N. MAIN STREET, FLORENCE, ARIZONA.**

**CALL TO ORDER**

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

**ROLL CALL:**

Present: Walter, Anderson, Hawkins, Wall, Larsen, Cordes, Hughes

**MOMENT OF SILENCE**

Mayor Walter called for a moment of silence.

**PLEDGE OF ALLEGIANCE**

Mayor Walter 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. Cathy Adam, Florence Resident, discussed the preservation of the Cuen Building. She requested more information on the rehabilitation cost of the building. She read the staff's recommendation to rehabilitate other buildings or build new on the old Michael's property or the Pinal County Records Building; however, those buildings are already gone.

Ms. Adam stated that they have some new news in terms of provenance and ties to significant members of the community in which those members may discuss with Council at a later time.

Ms. Stacy Gramazio, Greater Florence Chamber of Commerce, stated that on February 16, 2019, they held the 2<sup>nd</sup> Annual Memories on Main Street Car Show in Downtown Florence. They doubled the number of cars from last year's event to over 300 entries. Many of the stores realized foot traffic and sales due to the event. There were several positive comments on social media regarding the event as well.

Ms. Gramazio recognized the organizational team for the event, which included: Jerry Prendergast, Bo Randall and Jeffrey Kramer. She thanked them for volunteering their time.

**PRESENTATIONS**

**Second Quarter Fiscal Year 2018-2019 Budget Presentation**

Mr. Joe Jarvis, Finance Director, provided a presentation, in which he outlined the following:

- Fiscal Year 2018-2019 Second Quarter results and forecast for the rest of the year
  - Forecast is based on data as of December 31, 2018
- General Fund Revenue
  - Focused on seven revenue sources that make up 80% of the revenue to develop a trend analysis
    - City Sales Tax
    - Food Tax
    - Property Taxes
    - Building Permits
    - State Shared Sales Tax
    - State Shared Income Tax
    - Auto License Tax

Title	2 <sup>nd</sup> Quarter FY17-18	2 <sup>nd</sup> Quarter FY18-19	Budget	Forecast	Quarter Comparison
City Sales Tax	\$1,390,474	\$1,213,766	\$2,700,000	\$2,779,065	▼
City Food Tax	\$49,117	\$133,189	\$300,000	\$301,637	▲
Property Tax	\$517,041	\$564,505	\$1,000,000	\$1,064,481	▲
Building Permits	\$367,578	\$351,387	\$700,000	\$723,056	▼
State Sales Tax	\$1,080,532	\$1,068,609	\$2,599,550	\$2,672,026	▼
State Income Tax	\$1,596,487	\$1,578,769	\$3,157,450	\$3,157,450	▼

- General Fund Expense

Title	2 <sup>nd</sup> Quarter FY17-18	2 <sup>nd</sup> Quarter FY18-19	Budget	Forecast	Quarter Comparison
General Fund	\$6,531,975	\$7,241,745	\$15,185,620	\$15,185,620	▲

Councilmember Wall inquired if the total from all of the General Fund accounts exceed, are equal to, or less than the projected expenses.

Mr. Jarvis stated that the Town is collecting more revenue than the Town is anticipating expending in the fiscal year and anticipates adding money to the General Fund.

- Other Funds-Major Revenue FY18-19

Title	2 <sup>nd</sup> Quarter FY17-18	2 <sup>nd</sup> Quarter FY18-19	Budget	Forecast	Quarter Comparison
General Capital Fund	\$201,224	\$720,302	\$1,200,000	\$1,200,000	▲
Streets Fund	\$1,284,873	\$1,353,750	\$3,163,530	\$3,482,674	▲
Water Fund	\$1,358,049	\$1,373,030	\$2,800,000	\$2,800,000	▲
Sewer Fund	\$1,710,663	\$2,162,415	\$3,800,000	\$4,200,000	▲
Sanitation Fund	\$403,300	\$437,035	\$854,700	\$854,700	▲

- Other Funds-Expenses FY18-19

Title	2 <sup>nd</sup> Quarter FY17-18	2 <sup>nd</sup> Quarter FY18-19	Budget	Forecast	Quarter Comparison
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General Capital Fund	\$8,286	\$160,803	\$1,457,640	\$1,457,640	▲
Streets Fund	\$1,467,312	\$2,170,425	\$7,966,495	\$7,966,495	▲
Water Fund	\$1,320,078	\$1,529,018	\$4,276,360	\$4,276,360	▲
Sewer Fund	\$1,665,334	\$1,745,296	\$7,823,320	\$7,823,320	▲
Sanitation Fund	\$255,544	\$450,322	\$841,290	\$841,290	▲

Mayor Walter inquired why the total for 2<sup>nd</sup> Quarter FY17-18 in the General Capital Fund is substantially less than in the 2<sup>nd</sup> Quarter FY18-19.

Mr. Jarvis explained that the total is actual for purchases and not what was budgeted. There are instances when staff has held back from making capital purchases.

Vice-Mayor Anderson inquired about the sanitation revenue fund.

Mr. Jarvis explained that the funds fluctuate throughout the year because residents can turn off their service while they are away.

Councilmember Wall inquired about the difference between projected expense versus projected revenue in the Streets Fund.

Mr. Jarvis explained that he forecasted the expenditures on what the budget was and will have a much better sense of what the expected expenditures will be after the 3<sup>rd</sup> quarter. The budgeted amount includes several Capital Improvement Projects and some of the projects will be paid for by the HURF bond and not Streets revenue.

Mr. Brent Billingsley, Town Manager, stated that the Town also did Florence Gardens Phase IV and V projects rather than just Phase IV to achieve some savings.

### **Public Safety Personnel Retirement System Plans Unfunded Liability Presentation**

Mr. Scott Barber, Human Resources Director, stated that recent action of Council regarding developing a pension funding plan and accepting the liabilities and assets, as described to the Town by the Public Safety Retirement System. He developed a white paper which depicts unfunded liability issue. This information was provided to the Budget Committee and he was asked to present to Council as well. The Information is available on the Public Safety Personnel Retirement System (PSPRS) website.

Mr. Barber provided a presentation, in which he outlined the following:

- Town of Florence Public Safety Personnel Retirement System Police Plan as of June 30, 2018.
  - Active participants: 24
  - Retirees/Beneficiaries: 7
  - Deferred Retirement Option Program (DROP): 1
    - May retire and may retain employment after 60 consecutive months.
  - Inactive/Vested: 8

	June 30, 2017	June 30, 2018
Net Accrued Unfunded Liability	\$844,063	\$956,293
NOTE: \$196,36 is shown separately due to Tier 3 Pool group		

Mr. Barber stated that when you look at the difference between the fund's assets and liabilities, the actuaries run their formulas to determine if the Town is able to meet the long-term liabilities of the plan based on the demographics, mortality tables, and other items the use to determine the calculation. If there is a positive balance, the Town is deemed over funded, over 100% funded. Any negatives are considered to be unfunded liabilities.

Mr. Barber stated that the rules relating to public financing recording changed to require everyone to report the unfunded liabilities in the pension program on the annual financial report.

Mr. Barber stated that there was a citizen ballot measure that was passed by Arizona voters that tried to address the issue of the significant unfunded liabilities of the public safety retirement system. It created a new tier plan for those individuals who came to work in public safety retirement membership plans after July 1, 2017. It was intended to change the perspective and rules in response to some negative rulings regarding not being able to change the retirement benefits promised to someone.

- Town of Florence Public Safety Personnel Retirement System Fire Plan as of June 30, 2018.
  - Active Participants (Tier 1 & 2): 25
  - Retirees/Beneficiaries: 2
  - DROP: 0
  - Inactive/Vested: 2

	June 30, 2017	June 30, 2018
Net Accrued Unfunded Liability	\$334,162	\$739,947
NOTE: \$196,36 is shown separately due to Tier 3 Pool group		

- Year-to-year differences due to:
  - Increase in payroll base (especially in fire)
  - 2% COLA as of 7/1/18 for retirees
  - Amortization method changes (not us)
  - Hall/Parker settlement
    - Lawsuit which resulted in changes in legislation
    - Participants were due back money and settlements were issued
  - Plan demographic changes

Mr. Barber stated in 2018, the fire districts got the ability to transfer excess funds from pension programs they may have had before they entered the PSPRS and be able to apply them to unfunded liability balances. The Town should be able to do the same thing because the Town has a legacy plan. The Town established its pension program for its part time fire fighters many years ago and continues to maintain that plan. The Town also has a forfeiture account for excess funds.

Mr. Barber stated that the Town was able to go through the League's vetting process, in terms of their committee structure, leading to the Resolutions Committee. The League was able to put the

Town's legislation on the League Legislative Agenda for this year and were able to have Senator Pratt champion the Town's bill through the Senate. The bill came through the Senate with no opposition and has been transmitted to the House. The Town anticipates that Representative Shope will champion the bill there. If successful, the Town will engage its Administrator, of the part time firefighter's pension plan, in an actuarial study to determine the amount of dollars that are needed to fulfill the Town's obligations to all the individuals in the plan and make payments for promised benefits. Excess funds will also be determined and will apply those excess dollars to the unfunded liability in the PSPRS Fire Plan.

Discussion occurred on funding and what it means to be unfunded.

Mayor Walter stated that Florence is in a very good position financially.

Mr. Barber stated that there are many variations with regards to comparison to other municipalities. He stated that the Town's aggregate liability is less than other communities. He stated that the first step is that this is something that needs to be addressed, but not to cause alarm.

Vice-Mayor Anderson inquired how the calculations were done.

Mr. Barber explained how the current and future liabilities are calculated. He stated that as a result of a lawsuit, the Town had to front the money due to those enrolled and take a credit each month for the amount that they paid.

Councilmember Wall inquired if those who are no longer with the Town, but are vested, can withdraw what they have invested.

Mr. Barber stated that they can withdraw their funds at any time and would receive their contributions plus interest, and based on the schedule, can also receive a portion of the employer's contribution. He stated that if any of the individuals re-activate with another employer, the liability transfers to the other employer.

**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 accepting the register of demands ending January 31, 2019, in the amount of \$1,117,162.56 (Joe Jarvis)**

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

## **UNFINISHED BUSINESS**

### **Ordinance No. 668-19:**

Mayor Walter read Ordinance No. 668-19 by title only.

**AN ORDINANCE OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, AMENDING THE TOWN OF FLORENCE CODE OF ORDINANCES TITLE XV "LAND USAGE" CHAPTER 150: DEVELOPMENT CODE, SECTION 150.031 "DEFINITIONS" AND "PART 7 PARKING; LOADING AND UNLOADING," SECTIONS 150.156 TO 150.167 (CASE PZ 18-34 ORD.)**

Mr. Dana Burkhardt, Planning Consultant, stated that the first reading was done on February 19, 2019 and the second reading was done at today's meeting, fulfilling the requirements of two separate readings.

Councilmember Wall stated that changes were requested. Staff did not make some of the requested changes; however, they forwarded justifications as to why the changes weren't made.

On motion of Vice-Mayor Anderson, seconded by Councilmember Wall, and carried (6 to 1) with Councilmember Hawkins opposed, to table Ordinance No. 668-19 to the March 25, 2019 Council meeting.

**Discussion and possible action on a prioritization of construction projects within the Historic District and related CIP projects that have been frozen.**

Mr. Brent Billingsley, Town Manager, stated that several years ago, due to health and safety reasons, the Town staff made a recommendation to demolish the Cuen building. Staff's recommendation was taken to the Historic District Advisory Commission and was approved. A structural report was completed in 2007. The Town sold the property with a revision clause in the contract that allowed the Town to take back the property if the individual who purchased the property did not secure the building and make it structurally complete.

Mr. Billingsley stated that on September 4, 2018, staff was asked to contact the architectural firm of Reece and Rowe Architects (RRA), who had completed the study in 2007. They performed a site visit and determined that the building was in worse shape than in 2007.

The on-site visit noted that:

- the roof was further compromised by several years of rain seepage and subsequent wood rotting;
- an interior adobe divider wall had been partially removed and the remaining wall was further compromised;
- an inappropriate cement mortar was used in place of stucco on various locations of the interior walls that will ultimately have to be removed and any damage caused by that material would have to be corrected;
- there were limited exterior walls 'bowing' and accompanying incomplete window sets
- there were other miscellaneous issues found throughout the structure.

Mr. Billingsley stated that the individual who purchased the property did more damage than the Town initially understood.

Mr. Billingsley stated that the Town will engage the architect to prepare architectural plans to secure the building. The plan set will cost approximately \$15,000. One option is to bring the building up to Code. The construction cost will be approximately \$330,000, which would be a structural shell, and not occupiable. Other improvements would still be needed.

Mr. Billingsley stated that Option 2 is to demolish the building. The Town has reached out to the company that has tentatively won the bid for the demolition on the Kokopelli Moon Saloon. A Phase I survey will need to be completed regarding elemental lead, asbestos and other carcinogens, which would cost approximately \$4,800. The demolition will cost approximately \$22,700.

Mr. Billingsley provided a brief background on the Kokopelli Moon Saloon building that had two fires in June 2018. The building had been around for quite some time and was once home to La Paloma, My Uncle's Place and My Office Bar. It was originally constructed sometime between 1912 and 1914.

Mr. Billingsley stated that on October 15, 2018, Council authorized staff to move forward to bid for demolition of the building and removal of all of the debris, in an amount not to exceed \$300,000. He walked the building with the demolition company. The adobe wall within the building has continued to sluff off and fall in.

Mr. Billingsley stated that the Town went through the abatement process and received a Notice of Intent and were given an order to move forward with the abatement of the Kokopelli Moon Saloon. The Town will file all documents as necessary to place the lien on the property, per Council's direction. The two options for the building are:

- \$46,860 to completely demolish the building and fill in the basement
- \$65,000 - Per Historic District Advisory Commission's request: demolish the remainder of the building and leave the tack room. This will cause a significant increase in price and there is no guarantee that they can save the building. The Town would still be required to pay the full price even if the room has to be demolished and not saved. This can be challenging as it is an adobe building. He stated if the Town is able to retain the tack room, there is an ongoing code enforcement issue and the Town will need to absorb the cost of a safety fence that will need to be maintained. The Town will not be able to put a lien for the cost of the fence once the abatement is completed.

Mr. Billingsley stated that the \$80,000 has been budgeted for repairs to decking and stairs at the Silver King Marketplace. Staff is waiting HDAC and SHPO approval. There are also Code-related repairs that will need to be done as well. Suite 201 will need a secondary access. Staff is currently working on a solution and has contacted the original architect on the project. Staff has issued an order to proceed for work totaling \$10,250 for architectural plans to be updated to include a secondary access for Suite 201 through a fire hallway in Suite 202 to the outside staircase. The creation of the hallway will result in reducing the available space for Suite 202.

Mr. Billingsley asked Council to prioritize the construction projects within the Historic District, as well as the projects placed on hold, to reserve funding for said projects.

Staff is recommending the following:

- Demolish Cuen Building
- Fully demolish the Kokopelli Moon Saloon
- Complete Suite 202 Walkway Code Issue

- Construct a new building for Economic Development on empty Pinal County lot on Main Street – new building could be built for the same cost as rehabilitation of the Cuen Building

Mr. Billingsley stated that the demolition of the Cuen and Kokopelli Moon Saloon buildings were not anticipated, nor was the walkway in Suite 202. During its October 15, 2018 meeting, Town Council agreed to hold off on the following projects to fund the demolition project.

Traffic Light at Hunt Highway and Highway 79	\$100,000
Police and Fire Vehicles	\$ 94,000
Economic Development	\$100,000
Public Relations Training	\$ 10,000
Tourism Initiatives	\$ 15,000
Non-Profit creation	\$ <u>20,000</u>
Total:	\$339,000

Mr. Billingsley stated that based on the projected costs, he suggested that the Town move forward on the purchasing of the Police and Fire Vehicles for \$94,000.

Councilmember Larsen inquired if the Town has any rights to the Kokopelli Moon Saloon property, aside from placing a lien on the property.

Mr. Billingsley stated that the Town had several settlement meetings with the owner; however, the Town was unsuccessful.

Mr. Clifford Mattice, Town Attorney, stated that Councilmember Hughes has recused herself from the conversation, to comply with State Statues, as she was a former tenant in the Silver King Marketplace.

Discussion occurred regarding the improvements that are needed at the Silver King Marketplace.

Mr. Billingsley explained how the walkway will be built, allowing an egress from Suite 201. He explained that there needs to be exit access points.

Mr. James Allen, Building Inspector, explained that a structural engineer would need to be hired should the Town wish to build a stairway from Suite 202. The more cost-effective approach would be to build a walkway inside of the building. The walkway would be a fire-protected wall and the person walking from the deck into the walkway will be protected by a sprinkler system as well as a fire rated wall, which is a protected egress all the way to the stairs. The Building Code is very clear that all tenant spaces on the second floor must have access to two forms of egress.

Mr. Allen also discussed ADA compliance because there is a lift to the second floor. That area will be looked as an “area refuge” and some improvements will need to be done in order to satisfy the requirements.

Mr. Allen stated the cost will be minimal. He stated that the walkway was part of the initial plans; however, the walkway was never erected. He stated that they will need to add an exit sign and lighting on the deck, where the egress is located so electric modifications will need to be made. Changes will also need to be made to the hardware on the doors.

Mr. Billingsley stated that another option would be to not Lease Suite 201.

Vice-Mayor Anderson inquired if they could use a dropdown fire escape on the front porch.

Mr. Allen stated that a stairway that folds down is allowable as a secondary egress; however, it is structural and would need to be designed and obtain SHPO and HDAC approval because it is an addition to the building that never existed before.

Councilmember Larsen inquired how much it would cost to join Suite 201 and 202. She does not want to take space away from a retailer.

Mr. Billingsley stated that there is no way to join the spaces, but rather the Town would not rent Suite 201.

Mr. Allen stated that even if the suites were joined, there would still be egress issues. The deck is an assembly space for spectators and would require a secondary egress to get off of the deck. Currently, the only way off the deck is down the original stairway.

Councilmember Wall inquired what has changed since 2015 when HDAC agreed that demolition was the best option (Cuen Building). With regards to the Kokopelli Moon Saloon, she understands the cost difference with regards to retaining the tack room. With regards to the Silver King Marketplace, recognizing that they will be taking away square footage, the Town will consult with the tenant after construction begins. She suggested that the Town begin conversations with the tenant now with what is being proposed.

Mr. Billingsley stated that staff has reached out to the tenant to advise her of tonight's meeting, and has not had a response; however, he and Mr. Allen spoke to the tenant when they were doing their inspection and advised her of the changes to the building that are being proposed.

Councilmember Wall requested a copy of the power point presentation that was referenced in the Request for Council Action for this item.

Councilmember Hawkins stated that his option is to not rent out Suite 201. He inquired how much revenue does the rent generate. He stated that the space could be used for storage.

Mr. Billingsley stated that the Town received \$2,000 annually for rent. He stated that the deck could not be used if the suite is not rented out [because the walkway will not be built].

Councilmember Hawkins stated that no one will pay \$260,000 for that Cuen Building. He does not think it is feasible to rehabilitate the building.

Mayor Walter inquired if the \$80,000 budgeted is earmarked for deck repairs in the Silver King Marketplace.

Mr. Billingsley stated that the \$80,000 is earmarked for the deck repairs as it is in poor condition.

Councilmember Larsen stated that without speaking to the tenant and without exploring other options, it is premature to decide how to proceed. She would prefer to see other outside structures and/or other engineering methods such as adding additional stairs. She would prefer to see all options before she decides.

Vice-Mayor Anderson asked if the Town can involve SHPO to see if they can assist the Town.

Councilmember Cordes stated that SHPO moves very slow. She stated that the deterioration of the Cuen Building is an example of people not moving at the time they should. She has expressed her concern of not addressing issues in a timely manner. She stated that the Council cannot drag their feet and must make a decision to move forward and invest the Town's money in buildings that can be saved.

Councilmember Hawkins explained the issues with the Cuen building when it was sold at auction and the issues that occurred with the owner before the building reverted back to the Town. He cannot justify investing a large amount of money on that small of a building.

Mr. Billingsley stated that SHPO and ADOT were involved with the rehabilitation of the Silver King Marketplace. The internal alcove was included in the approval plans. He added that there is more leeway in modernizing the inside of a building rather than you do changing the outside. He stated that if the Town wanted to extend the deck or add an exterior staircase would be a very different world that doing the interior, specifically since SHPO already reviewed the alcove.

Discussion occurred regarding splitting Suite 202, and the square footage that would be lost.

Councilmember Cordes inquired if SHPO will need to re-review the plans.

Mr. Billingsley stated that the alcove was an alternative in the plan set and there is an actuary architectural plans for it, which is why the Town has authorized the purchase order to have the architect prepare the architectural plans that were an option at that time.

Mayor Walter recapped the conversation and stated that the walkway is the best access point to be able to continue utilizing the patio and stairwell access points. Staff will communicate this with the tenant. The Kokopelli Moon Saloon is in the center of Town and is an eyesore. There are no guarantees that the tack room can be saved.

Discussion continued on the feasibility of saving the tack building and demolishing the remainder of the Kokopelli Moon Saloon.

Councilmember Hawkins inquired if the red bricks can be saved to do repair work on some of the other buildings on Main Street or to do some type of enhancements with the bricks. They could also sell the bricks and donate the proceeds to the Florence Teen Council. He noted that used bricks are more expensive than new bricks.

Mr. Billingsley stated that staff has researched Mr. Hawkins suggestions and discussed them with the demolition contractor. The reality is:

- The property does not belong to the Town

- The demotion company will not knock down the wall and leave the bricks on-site for someone to come and pick up.
  - The Town would not want someone to come and pick up the bricks because the Town cannot allow someone on site nor do they want that liability.
- The Town does not own the brick and does not have any rights to do anything with the brick.
- The demolition crew can work with the property owner or someone else instead of hauling the brick to the dump. The contractor owns the bricks once they demolish the property.

Mayor Walter stated that she likes the option of building a new building on the empty lot on Main Street. She stated that the cost to bring the Cuen building up to Code is extremely expensive for a small building.

Mr. Billingsley stated that they could build a new building on the elections lot for the same price as rehabilitating the Cuen building, which still may not be usable.

Discussion occurred on the demotion of the Cuen Building.

Councilmember Cordes stated that the Council would be doing a disservice to the taxpayers to spend that kind of money on a building that they would never be able to recoup the money.

Councilmember Hawkins stated that most of the residents would prefer a stoplight on State Route 79 rather than rehabilitate the Cuen Building.

Mr. Billingsley stated that the Town is relying on ADOT to do the stoplight project, which may be done in 2021, and the \$100,000 is a portion of the cost of the project that the Town has to pay.

Councilmember Wall stated that she sees the demolition of the Cuen and Kokopelli buildings as an opportunity for a new beginning to build something on those lots that are still compliant with the Historic District regulations.

On motion of Councilmember Cordes, seconded by Councilmember Hawkins, and carried (6 to 1) with Councilmember Hughes recusing herself, to accept staff recommendation to prioritize the construction projects within the Historic District and related CIP projects.

## **NEW BUSINESS**

### **Resolution 1688-19:**

Mayor Walter read Resolution No. 1688-19 by title only.

**A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, AUTHORIZING THE TOWN MANAGER TO SUBMIT AN APPLICATION FOR THE ARIZONA DEPARTMENT OF TRANSPORTATION (ADOT) 5310 GRANT PROGRAM WHICH PROVIDES FUNDING TO SERVICE THE ELDERLY AND PERSONS WITH DISABILITIES IN THE COMMUNITY.**

Ms. Jennifer Evans, Management Analyst, stated the grant will fund the purchase of a new 12 passenger van for the senior center as well as funding for the "Give A Lift" program. She stated

Florence Town Council Meeting Minutes

March 4, 2019

Page 11 of 18

that it will also provide funding for preventative maintenance for the Senior Center's fleet. The grant is a two-year grant program which will cover the period of 2019 to 2021. The grant application amount is \$83,612, with the Town's share of \$50,221.

Mayor Walter asked staff to elaborate on the Give a Lift Program.

Mr. Bryan Hughes, Community Services Director, explained that the program started in January and it is neighbors helping neighbors to get to medical appointments if they do not have transportation. The program has 10 volunteers and gives an average of five rides per week. The program is in its infancy and is continuing to grow. The program serves a need. This van will replace an existing van.

Councilmember Larsen stated that there are transportation needs that extend beyond the elderly. She inquired if others, aside from the senior center users, can use the van.

Mr. Billingsley stated that the Section 5310 program is specifically for the elderly and people with disabilities. Staff is working on Councilmember Larsen's request and will present it to the Budget Committee.

Councilmember Larsen asked staff to expand their explanation on how the van can be used, and by who.

Mr. Hughes stated that the van can be used for elderly programs such as transportation to the Senior Center and any other elderly-related trips as well as anyone with disabilities to attend a program or medical appointment. The Give a Lift Program has people use their personal vehicles to transport folks to a medical appointment. They are also able to use their volunteer drivers to use the van, for those who are wheel-chair bound to get them to their medical appointments.

Mayor Walter inquired if the van can be used to take the disabled to work.

Mr. Billingsley stated that there is a separate program titled: Job Access Reverse Commute (JARC) which is a separate federal program. New Freedom is another program which assists the elderly with transportation to their job.

Councilmember Larsen inquired if the programs have grants tied to them.

Mr. Billingsley stated that they do have grants tied to the programs and some of the programs have been combined at the ADOT level. There is a separate program for the public, titled Section 5311, which is rural public transit, and the Town contributes to it through the CART program with Coolidge.

On motion of Councilmember Hughes, seconded by Councilmember Larsen, and carried (7 to 0) to approve Resolution No. 1688-19, a resolution of the Town of Florence, Pinal County, Arizona, authorizing the Town Manager to submit an application for the Arizona Department of Transportation (ADOT) 5310 Grant Program.

**Resolution No. 1689-19:**

Mayor Walter read Resolution No. 1689-19 by title only.

**A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, APPROVING THE FINAL PLAT FOR ANTHEM AT MERRILL RANCH UNIT 31; AND AUTHORIZING EXECUTION BY THE TOWN MANAGER OF SUPPORTING DOCUMENTS.**

Mr. Larry Harmer, Community Development Director, provided a presentation, in which he outlined the following:

- Anthem at Merrill Ranch (AMR) Units 31 Final Plat
  - Gross Area: 22.15 Acres
  - Open Space: 2.92 Acres
  - Right of Way: 3.57 Acres
  - Net Area: 18.58 Acres
  - Total Lots: 113
  - Density: 5.10 Dwelling units per acre
- Totals for AMR including Unit 31
  - 1235.61 +/- Total Acres
  - 3880 Total Single-Family Lots
  - 3.14 Dwelling units per acre

Mr. Harmer stated that the plat was reapproved by the Planning and Zoning Commission in August 2018. He explained its location, which is on Hunt Highway, west of Attaway Road. The plat is interconnected with Unit 33, to the north and will provide the two points of access.

On motion of Councilmember Wall, seconded by Councilmember Larsen, and carried (7 to 0) to approve Resolution No. 1689-19, a resolution of the Town of Florence, Pinal County, Arizona, approving the final plat for Anthem at Merrill Ranch Unit 31; and authorizing the execution by the Town Manager for supporting documents.

**Resolution No. 1690-19:**

Mayor Walter read Resolution No. 1690-19 by title only.

**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.**

Mr. Larry Harmer, Community Development Director, provided a presentation, in which he outlined the following:

**Anthem at Merrill Ranch Units 33 Final Plat**

- Gross Acres: 33.61 Acres
- Open Space: 6.72 Acres
- Right of Way: 6.0 Acres
- Net Area: 27.61 Acres
- Total Lots: 146
- Density 4.34 dwelling units per acre
- Totals for AMR including Unit 33

- 1269.22 +/- Total Acres
- 4026 Total Single-Family Lots
- 3.17 dwelling acres

Mr. Harmer stated that this unit wraps the south and east portions of the wastewater treatment facility. The unit faces Hunt Highway and has State Trust Land to the west and Unit 31 is to the south. Unit 35 A and B is to the north.

Mayor Walter inquired if there are any plans depicting what the houses will look like that have been released to the public.

Mr. Harmer stated that he does not know when they will release the plans to the public. The model homes are forth coming.

Vice-Mayor Anderson inquired how the odors coming from the wastewater treatment plant being mitigated so it does not affect the surrounding homes.

Mr. Billingsley stated that he does not know as he has not toured the private facility.

Vice-Mayor Anderson inquired if the Town has any liability if approved, and issues arise.

Mr. Billingsley stated that he does not believe the Town will have any liability. It will be an issued between the developer and whomever purchases the home.

Mayor Walter inquired if there would be any repercussions if the Council chose to table this item.

Mr. Harmer stated that he does not believe there would be any hardships. They do have an at-risk grading permit. He stated that he reached out to DR Horton and he hoped to have representatives present. Unfortunately, there were internal conflicts which did not allow anyone to come to the meeting.

Councilmember Cordes stated that she understands that the water and wastewater company is a private company. The Council has a fiduciary responsibility to the Town's future residents that they will have the same standard of service as the residents that live within the historical district. She would prefer to table this item until Council has some guarantees.

Councilmember Larsen stated that she would like to know what the regulations are. She inquired if they have to provide the same type of odor barrier.

Mr. Billingsley stated that Johnson Utilities is governed by the Arizona Department of Environmental Quality and must follow the same standards and it is tied to the individual permits for their plant.

On motion of Vice-Mayor Anderson, seconded by Councilmember Larsen, and carried (6 to 1) with Councilmember Wall opposed, to table Resolution No. 1690-19 to the March 18, 2019 Council meeting.

## LEGISLATIVE REPORT

Mr. Bitter stated that Senate Bill 1165 – Distracted Driver Bill, passed out of the Senate today, on a vote 20-10. There is some opposition; however, there is bi-partisan support. They will have discussion on this item in the next few weeks and expect a vote by the end of March or the first week in April.

Councilmember Larsen inquired what the opposition was.

Mr. Bitter stated that discussion is that governments should not be involved in what is inside of a private vehicle.

Councilmember Wall inquired on the status of the bill regarding historic funding and heritage grants.

Mr. Bitter stated that there are two bills, one in the House and one in the Senate, and have passed out of their respective chambers. The Town has signed in to support both bills.

## MANAGER'S REPORT

Mr. Billingsley stated that the Workforce Education Business Series is hosted by Central Arizona College, and will start on March 5, 2019. The schedule includes:

Marketing Fundamentals, March 5<sup>th</sup>

- Communication in the Workplace, April 2<sup>nd</sup>
- Business Finance, May 7<sup>th</sup>
- Customer Service, June 4<sup>th</sup>
- Optimum Performance, June 25<sup>th</sup>

Sessions will be held from 6:00 to 8:00pm and are priced at \$10 per session or \$30 for the whole series.

Mr. Billingsley stated that the CAG/SCMPO Legislative Day was held on February 4, 2019, at the Arizona League of Cities and Towns, in Phoenix in which two councilmembers and Mr. Bitter attended. Nine legislators attended as well.

Mr. Billingsley stated that he and Police Chief Dan Hughes, were invited to participate in the "Big Ideas 2018: Fighting Opioid Overdose" roundtable at the Westward Ho in downtown Phoenix. They were asked to present the rural perspective on opioid overdose.

Mr. Billingsley provided an update on the Well #4 project update. Well #4 has been pulled and the casing has been brushed, bailed, and cleaned. The well has been lined. The test pumping is in progress. After the test pumping has been completed, a bowl assembly will be chosen based on the test pumping. The project should be completed in less than 60 days.

Mr. Billingsley stated that the 12" Water Loop Project (Phase 2), the project is near completion. Water line is installed, pressure tested and bacterial tested. A small percentage of paving is still required to complete. Phase 3A will be starting the last week of February.

Mr. Billingsley stated that the Town continues to trend above projected numbers for state shared revenues. The sales tax collections are up as well as is the Highway User Revenue Fund.

Mr. Billingsley stated that there are no current advertisements.

Mr. Billingsley stated that the Town now has an emergency alert system for residents and businesses. The Town joined Pinal County with the Everbridge System. There are approximately 10 staff members who went through a training process in order to send out emergency notifications. He asked the public to sign up should they wish to receive the notifications.

Councilmember Cordes inquired if they can notify planned outages and how does a person who does not sign up for the system get notified.

Mr. Billingsley stated that the Fire Chief and Police Chief will do a presentation at the next meeting.

## **DEPARTMENT REPORTS**

**Community Development**  
**Community Services**  
**Finance**  
**Fire**  
**Police**  
**Public Works**

Vice-Mayor Anderson inquired about the notification he received from the Florence Unified School District (FUSD) regarding the Before and After Bell Program.

Mr. Hughes explained that the Town received official notification starting the next school year FUSD will be working with the "Right at School" Program which will be hosting the "Before and After the Bell" Program. The Community Services Department is exploring options for running programs offsite for parents who cannot afford the Right at School Program.

Vice-Mayor Anderson inquired if this will cost the Town additional monies.

Mr. Hughes stated that the goal is to do it with the current budget but may have additional costs if transportation is involved.

The Department Reports were received and filed.

## **CALL TO THE PUBLIC**

Ms. Cathy Adam, Florence Resident, stated that she understands the rationale of demolishing the Kokopelli Moon Saloon, due to the financial implications. She challenged the Council and staff

To let her know what the Town has done to prevent any more demolition through neglect. There are other buildings on Main Street being neglected. There are Codes that allow the Town to force

Florence Town Council Meeting Minutes

March 4, 2019

Page 16 of 18

property owners to fix leaky roofs. She asked the Town to be pro-active, so they don't have to demolish more buildings.

Ms. Adam stated that she would like to be contacted regarding the bricks.

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

Councilmember Hughes thanked Caliente for the Spring Fling Parade. It was a great event.

Councilmember Cordes stated that she has a new grandbaby and apologized for not being able to be heard, via telephone, at the last meeting.

Councilmember Larson echoed Ms. Adam's sentiments regarding being proactive with regards to the buildings. She stated that she went to the Spirit of the West Festival and it was a great event. She invited everyone to the kickball game on March 8, 2019. It is a good opportunity to get together as a community.

Councilmember Wall attended the dedication by the Gila River Indian Community of their Managed Aquifer Recharge Facility and Interpretive Trail. It was very well attended and had to be shuttled into the site. Several dignitaries were present as well as exceptional entertainment. They were also given tours of the trails and include signage of the trees and plants. It is not open to the public. They developed a five-year plan to retain and restore their access to water.

Councilmember Wall stated that there is also an agreement that has allowed the successful completion of Arizona's drought contingency plan. She was very proud to attend.

Councilmember Wall also attended Spirit of the West event. It was well attended, and they had several demonstrations. She hopes that they continue this event.

Councilmember Hawkins reminded the public Florence Aero Modelers now have cars and will have an event this weekend. There is also a 3 Rail Ranch Rodeo event taking place the following week at the Charles Whitlow Rodeo Grounds. He invited everyone to attend both events.

Vice-Mayor Anderson stated that he attended the Caliente Spring Fling. He had a great time and many people thanked the Town for resolving the issues with the setbacks. He asked everyone to make their donations to the Veteran Memorial and thanked all those who have donated thus far.

Mayor Walter stated that influenza is wide spread and asked everyone to please take care of themselves. She attended the Youth Symposium and some of the youth from other communities could not attend due to the rains that caused flooding. She also said the Pooch Party was a great event.

### **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 regarding use of the Town's real properties and related facility policy, procedures, current leases, rents due, and delinquent taxes.
- b. Update the Town Council on current and future nondisclosure agreements for economic development projects.
- c. 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.
- d. Town's position and instruct its attorneys regarding pending litigation in Maricopa County Superior Court: Town of Florence v. Florence Copper, Inc. CV2015-000325.

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

#### **ADJOURNMENT FROM EXECUTIVE SESSION**

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

#### **ADJOURNMENT**

On motion of Councilmember Hawkins, seconded by Councilmember Wall, and carried (7-0) to adjourn at 10:18 p.m.



Tara Walter, 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 March 4, 2019, and that the meeting was duly called to order and that a quorum was present.



Lisa Garcia, Town Clerk