

ACTION MINUTES

MINUTES OF THE FLORENCE TOWN COUNCIL MEETING HELD ON MONDAY, MAY 6, 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 5:02 pm

2. ROLL CALL:

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

3. WORK SESSION ON THE 2012 TECHNICAL CODES

On motion of Vice-Mayor Anderson, seconded by Councilmember Hawkins, and carried (6 - Anderson, Hawkins, Wall, Larsen, Cordes, Hughes; 0) to adjourn to Executive Session.

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

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. PUBLIC HEARING AND PRESENTATION

- a. Public hearing on an application received from Kevin Arnold Kramber, Green Tree Inn & Suites, located at 240 W. Highway 287, Florence, Arizona, for a new motel/hotel liquor license and for Council recommendation for approval or disapproval of said license. (Lisa Garcia)

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

On motion of Councilmember Hawkins, seconded by Councilmember Larsen, and carried (7-0) to forward a recommendation of approval on an application received from Kevin Arnold Kramber, Green Tree Inn & Suites, located at 240 W. Highway 287, Florence, Arizona, for a new motel/hotel liquor license.

- b. Proclamation of Appreciation issued for exceptional service to the Town of Florence. (Mayor Walter)

Mayor Walter issued a Proclamation of Appreciation to Mr. Kevin McGinnis.

- c. Proclaim May 6 – 11, 2019 as the 50th Anniversary of Municipal Clerk's Week. (Mayor Walter)

Mayor Walter proclaimed May 6 – 11, 2019 as the 50th Anniversary of Municipal Clerk's Week.

- d. Presentation on the design concept report for roundabout improvements to State Route 287 and State Route 79B and Discussion/Approval/Disapproval to enter into Amendment No. 1 to the Intergovernmental Agreement, JPA/IGA 12-541, A.G. Contract No P0012012001857, with the Arizona Department of Transportation, for proposed design, right-of-way acquisition and construction of a roundabout at State Route (SR) 287 and SR 79B (CIP T-14). (Chris Salas)

On motion of Councilmember Larsen, seconded by Councilmember Cordes, and carried (5 - Walter, Wall, Larsen, Cordes, Hughes; 2: Anderson, Hawkins), to approve entering into Amendment No. 1 to the Intergovernmental Agreement, JPA/IGA 12-541, A.G. Contract No P0012012001857, with the Arizona Department of Transportation, for proposed design, right-of-way acquisition and construction of a roundabout at State Route (SR) 287 and SR 79B (CIP T-14).

8. UNFINISHED BUSINESS

- a. Ordinance No. 672-19: Second reading and Discussion/Approval/Disapproval of 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. (First Reading done on March 18, 2019) (Lisa Garcia)

On motion of Councilmember Wall, seconded by Vice-Mayor Anderson, and carried (7-0) to adopt Ordinance No. 672-19.

- b. Resolution No. 1693-19: Discussion/Approval/Disapproval of A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, DECLARING AS A PUBLIC RECORD CERTAIN TECHNICAL CODE DOCUMENTS FILED WITH THE TOWN CLERK AND ENTITLED "2012 INTERNATIONAL BUILDING CODE", "2012 INTERNATIONAL EXISTING BUILDING CODE", "2012 INTERNATIONAL FIRE CODE", "2012 INTERNATIONAL FUEL GAS CODE", "2012 INTERNATIONAL MECHANICAL CODE", "2012 INTERNATIONAL PLUMBING CODE", "2012 INTERNATIONAL PROPERTY MAINTENANCE CODE", "2012 INTERNATIONAL RESIDENTIAL CODE", "2012 INTERNATIONAL SWIMMING POOL AND SPA CODE", "2012 INTERNATIONAL ENERGY CONSERVATION CODE" "2011 NATIONAL ELECTRIC CODE", AND THE 2009 "ACCESSIBLE AND USABLE BUILDINGS & FACILITIES CODE". (Lisa Garcia)

On motion of Councilmember Hawkins, seconded by Councilmember Larsen and carried (7-0) to adopt Resolution No. 1693-19.

- c. Ordinance No. 674-19: Second reading and Discussion/Approval/Disapproval of AN ORDINANCE OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA ADOPTING THE FOLLOWING PUBLICATIONS WITH APPENDICES AND TOWN OF FLORENCE AMENDMENTS, AS LISTED HEREIN, ARE ADOPTED BY REFERENCE. REGULATING AND GOVERNING THE CONDITIONS AND MAINTENANCE OF ALL PROPERTY, BUILDINGS AND STRUCTURES; BY PROVIDING THE STANDARDS FOR SUPPLIED UTILITIES AND FACILITIES AND OTHER PHYSICAL THINGS AND CONDITIONS ESSENTIAL TO ENSURE THAT STRUCTURES ARE SAFE, SANITARY AND FIT FOR OCCUPATION AND USE; AND CONDEMNATION OF BUILDINGS AND STRUCTURES UNFIT FOR HUMAN OCCUPANCY AND USE AND DEMOLITION OF SUCH STRUCTURES IN THE TOWN OF FLORENCE, ARIZONA; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFORE; REPEALING SECTION 150.300 OF THE TOWN OF FLORENCE CODE OF ORDINANCES AND ALL OTHER ORDINANCES OR PARTS OF LAWS IN CONFLICT THEREWITH. (First reading done on April 15, 2019) (Lisa Garcia)

On motion of Councilmember Larsen, seconded by Councilmember Cordes, and carried (7-0) to adopt Ordinance No. 674-19.

- d. Ordinance No. 675-19: 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 BY MODIFYING SECTION 150.301; TITLED BOARD OF APPEALS; BY INSERTING NEW TEXT AS UNDERLINED AND DELETING TEXT BY STRIKETHROUGH. (First reading done on April 15, 2019) (Lisa Garcia)

On motion of Councilmember Hawkins, seconded by Councilmember Larsen, and carried (7-0) to adopt Ordinance No. 675-19.

- e. Ordinance No. 673-19: Second reading and Discussion/Approval/Disapproval of AN ORDINANCE OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, AMENDING THE CODE OF ORDINANCE, ARIZONA, TITLE XI BUSINESS REGULATIONS, BY ADOPTING A NEW CHAPTER 111 RELATING TO THE REGULATION OF MOBILE FOOD VENDORS; ESTABLISHING A PURPOSE; SETTING FORTH DEFINITIONS; PROVIDING FOR PERMIT REQUIREMENTS; ESTABLISHING OPERATIONAL REQUIREMENTS; IMPOSING FEES; SETTING FORTH VIOLATIONS; ESTABLISHING PENALTIES; AND SETTING FORTH AN EFFECTIVE DATE. (First reading done on April 15, 2019) (Lisa Garcia)

On motion of Vice-Mayor Anderson, seconded by Councilmember Larsen, and carried (7-0) to adopt Ordinance No. 673-19.

- 9. **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. Resolution No. 1697-19: Approval of A RESOLUTION OF TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, APPROVING AND AUTHORIZING MAYOR TARA WALTER, TOWN MANAGER BRENT BILLINGSLEY, AND FINANCE DIRECTOR REY SANCHEZ TO ACT AS SIGNATORIES FOR THE TRANSACTION OF BUSINESS ON THE TOWN OF FLORENCE BANKING ACCOUNTS, AND DECLARING AN EMERGENCY. (Lisa Garcia)
- b. Approval to enter into a contract with Continental Flooring Company to purchase flooring for needed replacements at the Senior Center, Town Hall-Administration, Fitness Center, Fire Station No. 1 Day and Dormitory Rooms using the Mohave Contract No. 15S-CFC-0415, in an amount not to exceed \$50,059.64, which includes a 10% contingency. (Chris Salas)
- c. Approval and ratification of the intervention and filing of an Application to Intervene by the Town of Florence (the "Application") in proceedings before the Arizona Corporation Commission (ACC) (Docket No. WS-02987A-18-0329; Docket No. WS-02987A-99-0583; Docket No. W-02234A-00-0371; Docket No. WS-02987A-00-0618; Docket No. W-02859A-00-0774; Docket No. W-01395A-00-0784; Docket No. WS-02987A-06-0077; Docket No. WS-02987A-12-0136) (the "ACC regulatory proceedings") involving Johnson Utilities, L.L.C. and adding the Town of Florence as a party in the ACC regulatory proceedings, including the authorization for the Mayor, the Town Manager, the Attorneys for the Town and other officers of the Town, on behalf of the Town, are authorized and directed, without further order of the Mayor and Council of the Town, to do all such acts and things, including the full prosecution of appeals, and to execute, file and deliver all such notices, certificates, 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, to evidence compliance with, or further the purposes of, all the terms and conditions of this approval and the consummation of the transactions contemplated by, and may be necessary to carry out the terms and intent of this approval. (Clifford Mattice)
- d. Adoption of an Interagency agreement between the Town of Florence Police Department and the Host Agency for our participation and response to call outs with the Arizona Child Abduction Response Team. (Dan Hughes)
- e. Approval of accepting the register of demands ending March 31, 2019, in the amount of \$2,658,857.05. (Rebecca Jimenez)

On motion of Councilmember Larsen, seconded by Councilmember Cordes, and carried to approve the Consent Agenda, as written with the exception of Item c. and d.

- c. Approval and ratification of the intervention and filing of an Application to Intervene by the Town of Florence (the "Application") in proceedings before the Arizona Corporation Commission (ACC) (Docket No. WS-02987A-18-0329; Docket No. WS-02987A-99-0583; Docket No. W-02234A-00-0371; Docket No. WS-02987A-00-0618; Docket No. W-02859A-00-0774; Docket No. W-01395A-00-0784; Docket No. WS-02987A-06-0077; Docket No. WS-02987A-12-0136) (the "ACC regulatory proceedings") involving Johnson Utilities, L.L.C. and adding the Town of Florence as a party in the ACC regulatory proceedings, including the authorization for the Mayor, the Town Manager, the Attorneys for the Town and other officers of the Town, on behalf of the Town, are authorized and directed, without further order of the Mayor and Council of the Town, to do all such acts and things, including

the full prosecution of appeals, and to execute, file and deliver all such notices, certificates, 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, to evidence compliance with, or further the purposes of, all the terms and conditions of this approval and the consummation of the transactions contemplated by, and may be necessary to carry out the terms and intent of this approval. (Clifford Mattice)

On motion of Vice-Mayor Anderson, seconded by Councilmember Larsen, and carried (7-0) to approve and ratify the intervention and filing of an Application to Intervene by the Town of Florence (the "Application") in proceedings before the Arizona Corporation Commission (ACC) (Docket No. WS-02987A-18-0329; Docket No. WS-02987A-99-0583; Docket No. W-02234A-00-0371; Docket No. WS-02987A-00-0618; Docket No. W-02859A-00-0774; Docket No. W-01395A-00-0784; Docket No. WS-02987A-06-0077; Docket No. WS-02987A-12-0136) (the "ACC regulatory proceedings") involving Johnson Utilities, L.L.C. and adding the Town of Florence as a party in the ACC regulatory proceedings.

- d. Adoption of an Interagency agreement between the Town of Florence Police Department and the Host Agency for our participation and response to call outs with the Arizona Child Abduction Response Team. (Dan Hughes)

On motion of Councilmember Wall, seconded by Councilmember Larsen, and carried (6-0; Councilmember Hughes recused herself) to adopt an Interagency agreement between the Town of Florence Police Department and the Host Agency for our participation and response to call outs with the Arizona Child Abduction Response Team.

10. NEW BUSINESS

- a. Discussion/Approval/Disapproval of Fiscal Year 2019-2020 Employee Benefit Program with United Healthcare of Arizona for medical, dental, life and vision insurance; Teladoc for 24/7 physician access benefits; Jorgensen Brooks Group for Employee Assistance Program; AFLAC for supplemental insurance products; and Infinisource to administer our Section 125 Flexible Benefit Account Plan. (Scott Barber)

On Councilmember Wall, seconded by Councilmember Hughes, and carried (7-0) to approve the Fiscal Year 2019-2020 Employee Benefit Program with United Healthcare of Arizona for medical, dental, life and vision insurance; Teladoc for 24/7 physician access benefits; Jorgensen Brooks Group for Employee Assistance Program; AFLAC for supplemental insurance products; and Infinisource to administer our Section 125 Flexible Benefit Account Plan.

- b. Discussion/Approval/Disapproval to enter into a contract with Regional Pavement Maintenance of Arizona, Inc., to mill and replace 2.5" R12 asphalt for CIP T-69 Pavement Preservation, for the amount not to exceed amount \$1,339,285.31 under Job Order Contract (JOC) 2014-007 for the City of Buckeye. (Chris Salas)

On Councilmember Wall, seconded by Councilmember Cordes, and carried (7-0) to enter into a contract with Regional Pavement Maintenance of Arizona, Inc., to mill and replace 2.5" R12 asphalt for CIP T-69 Pavement Preservation, for the amount not to exceed amount \$1,339,285.31 under Job Order Contract (JOC) 2014-007 for the City of Buckeye.

- c. Ratification and acceptance to Apache Underground Contract for the installation of valves, fire hydrants, tapping sleeves, concrete encased sewer and for replacement of curb, sidewalk and asphalt as necessary, in an amount not to exceed \$721,008.11 for CIP WU-83 Downtown 12” Loop. (Chris Salas)

On motion of Councilmember Cordes, seconded by Councilmember Hawkins, and carried (7-0) for the ratification and acceptance to Apache Underground Contract for the installation of valves, fire hydrants, tapping sleeves, concrete encased sewer and for replacement of curb, sidewalk and asphalt as necessary, in an amount not to exceed \$721,008.11 for CIP WU-83 Downtown 12” Loop.

- d. Discussion/Approval/Disapproval of entering into an Associated Partner Agreement with Electrum Foundation. (Brent Billingsley)

On motion of Councilmember Hawkins, seconded by Councilmember Larsen, and carried (7-0) to enter into an Associated Partner Agreement with Electrum Foundation.

- e. Discussion/Approval/Disapproval of the removal of Kendra Johnson from the Florence Youth Commission. (Lisa Garcia)

On motion of Councilmember Hawkins, seconded by Councilmember Larsen and carried (7-0) for the removal of Kendra Johnson from the Florence Youth Commission.

11. LEGISLATIVE UPDATE

12. MANAGER’S REPORT

13. DEPARTMENT REPORTS

- a. Community Development
- b. Community Services
- c. Finance
- d. Fire
- e. Police
- f. Public Works

14. CALL TO THE PUBLIC

15. CALL TO THE COUNCIL – CURRENT EVENTS ONLY

16. ADJOURNMENT

On motion of Councilmember Hawkins, seconded by Councilmember Hughes and carried (7-0) to adjourn the meeting at 8:14 pm.

Posted this 7th day of May 2019, on the Town of Florence website at www.florenceaz.gov by Maria Hernandez, Deputy Town Clerk.