MINUTES OF THE TOWN OF FLORENCE COUNCIL MEETING OF THE FLORENCE TOWN COUNCIL HELD ON MONDAY, APRIL 6, 2020, AT 6:00 P.M., IN THE FLORENCE TOWN COUNCIL CHAMBERS, LOCATED AT 775 N. MAIN STREET, FLORENCE, ARIZONA.

SPECIAL NOTICE REGARDING PUBLIC MEETINGS

Due to the risks to public health caused by the possible spread of the COVID-19 virus at public gatherings, the Town of Florence has determined that public meetings will be indefinitely held through technological means. Meetings will be open to the public through technological means. In reliance on, and in compliance with, the March 13, 2020 Opinion issued by Attorney General Mark Brnovich, and in conjunction with the Emergency Proclamation signed by Mayor Tara Walter, on March 18, 2020. The Town of Florence provides this special advance notice of the technological means through which public meetings may be accessed. While this special notice is in effect, public comment at meetings will only be accepted through written submissions, which may or may not be read aloud during meetings.

To attend the meeting noticed below by technological means, members of the public may:

1. *Access the link to watch a video stream on the Town website: www.FlorenceAZ.gov/tv or view the meeting live on Cox TV Channel 11.*

2. *To call in and listen, please dial 1(602) 666-0783 Access code: 627 992 591*

Members of the public may submit written comments relating to this meeting to Town Clerk Lisa Garcia by emailing lisa.garcia@florenceaz.gov at any time until one hour prior to the posted start time for the meeting. Please be sure to include your name and address for the record as well as the meeting date (and Agenda Item #, if applicable) in the subject of your email.

If any member of the public has difficulty connecting to the meeting, they are invited to contact the Town of Florence Information Technology Helpdesk at (520) 868-7543.

The agenda for this meeting is as follows:

CALL TO ORDER

Mayor Walter called the meeting to order at 6:03 p.m.

ROLL CALL:

*Present: Tara Walter, John Anderson, Karen Wall, Kristen Larsen, Michelle Cordes, Judy Hughes (*all Council appeared telephonically)

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.

There were no public comments.

PUBLIC HEARING AND PRESENTATION

Public Hearing on an application received from Kim Kenneth Kwiatkowski, Circle K Store #9544, located at 3310 N. Hunt Highway, Florence, Arizona, for a new Series 010 Beer and Wine Store liquor License and for Council recommendation for approval or disapproval of said license.

Ms. Lisa Garcia, Deputy Town Manager/Town Clerk, stated that no public comments were received nor has anyone called in to speak at the public hearing. She stated that Circle K called and wanted to ensure that the application was on the agenda. She advised them that several councilmembers had commented that American Leadership Academy (ALA) was not listed on their application. Based on this, it would be noted for the record, and will ensure that the Arizona Department of Liquor License and Control knows that the ALA school is near proximity. She noted that it is not within the 300 feet limit.

Ms. Garcia stated that the Town Clerk's Office did post the notice for the required 20 days and received zero comments.

Mayor Walter opened the public hearing. There being no public comment, Mayor Walter closed the public hearing.

Vice-Mayor Anderson inquired when they will start construction.

Ms. Garcia stated that the application is for the liquor license only and does not include construction documents.

Vice-Mayor Anderson inquired if the Town is approving a license for a building that is not there.

Ms. Garcia stated that Circle K is requesting a license for a future location for a Circle K Convenience Store.

Mr. Larry Harmer, Senior Planner, stated that the Town had a pre-application meeting with the applicants, approximately five months ago. The pre-application meeting allows them to present

preliminary site plans. They received information on the Town's requirements, and they are now in their application phase.

Mr. Harmer stated that typically the liquor license is applied for prior to those submittals so they know that the services they want to provide will be available to them should they proceed with the actual construction.

Mayor Walter stated that years ago, Circle K stated that they would not leave their two buildings on Main Street vacant; however, the buildings are boarded up and remain vacant. She understands that the buildings are available for lease; however, she asked that Mr. Harmer have additional conversations with them regarding the buildings.

Vice-Mayor Anderson inquired if they would have a patio. It is his understanding that all Circle K facilities have patios.

Ms. Garcia stated that site plans for the Circle K facility have not been submitted at this time; the application is solely for the liquor license. At the time that they submit their site plans, anyone who has a liquor license can go back to the State and to the Town Council and amend their application if they are going to change their building, grow the building or make on site improvements that were not included in the original application.

Vice-Mayor Anderson stated that Circle K has listed within the application, an estimated completion date of August 1, 2021.

On motion of Councilmember Wall, seconded by Councilmember Hughes, and carried (6-0), to forward a recommendation for approval on an application received from Kim Kenneth Kwiatkowski, Circle K Store #9544, located at 3310 N. Hunt Highway, Florence, Arizona, for a new Series 010 Beer and Wine Store liquor License.

Proclaim April 11 – 17, 2020 as Week of the Young Child.

Ms. Michelle Reimer, MA, Community Outreach Coordinator for First Things First, has requested the Town show its support by proclaiming April 11 – 17, 2020 as Week of the Young Child and acknowledge the importance of education for our children in our community. Due to the COVID-19 Pandemic, many of the planned events have been suspended; however, this does not diminish the need to recognize the importance of education for our youth.

Mayor Walter proclaimed April 11 – 17, 2020 as Week of the Young Child.

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 funds from the Arizona Department of Homeland Security, in the amount of $177,020 for overtime wages/benefits, and vehicle mileage to conduct Operation Stonegarden (OPSG) border enforcement activities.**

b. **Approval to enter into a professional services contract with Commonwealth Electric Company, for On-Call Electrical Services, with up to four renewable one-year options, in an amount not to exceed $30,000.**

c. **Approval to enter into a professional services contract with Geuther Electrical LLC, for On-Call Electrical Services, with up to four renewable one-year options, in an amount not to exceed $50,000.**

d. **Approval of accepting the register of demands ending February 29, 2020, in the amount of $2,013,354.34.**

On motion of Councilmember Wall, seconded by Councilmember Larsen, and carried (6-0) to approve the Consent Agenda, as written, with the exception of Item b and Item c.

b. **Approval to enter into a professional services contract with Commonwealth Electric Company, for On-Call Electrical Services, with up to four renewable one-year options, in an amount not to exceed $30,000.**

Vice-Mayor Anderson stated that the Purchasing Policy calls for a bid evaluation to be included in the packet; however, it is not included in either Item b or Item c. He stated that he has asked for this to be included several times and it is still not being included. He inquired what needs to be done so that the information is included.

Mr. Chris Salas, Public Works Director, stated that he will research this further. He stated that it was a public bid and there were only two responders. Both responders, Commonwealth Electrict Company and Geuther Electrical, LLC, will be awarded the bid. His concerns are noted, and they will always include a bid tabulation sheet.

Vice-Mayor Anderson asked that a listing be included of everyone that the bid was sent to.

Mr. Salas stated that the bid is not sent to anyone in particular, but rather advertised as an open bid. It is advertised on the Town's website as well as two consecutive times in the newspapers that meet the requirements under the State law.

Vice-Mayor Anderson stated that this also needs to be included in the packet.

On motion of Vice-Mayor Anderson, seconded by Councilmember Cordes, and carried (6-0) to approve entering into a professional services contract with Commonwealth Electric Company, for On-Call Electrical Services, with up to four renewable one-year options, in an amount not to exceed $30,000.

c. **Approval to enter into a professional services contract with Geuther Electrical LLC, for On-Call Electrical Services, with up to four renewable one-year options, in an amount not to exceed $50,000.**

On motion of Vice-Mayor Anderson, seconded by Councilmember Cordes, and carried (6-0) to approve entering into a professional services contract with Geuther Electrical LLC, for On-Call

Electrical Services, with up to four renewable one-year options, in an amount not to exceed $50,000.

UNFINISHED BUSINESS

Ordinance No. 689-20:

Mayor Walter Ordinance No. 689-20 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, ADMINISTRATION AND PROCEDURES SECTIONS 150.000 TO 150.019 AND ADDING SECTIONS 150.020 TO 150.024, AND RELOCATING "PART 1. GENERAL PROVISIONS," SECTIONS 150.080 AND 150.081 TO THE ADMINISTRATION AND PROCEDURES SECTIONS 150.020 AND 150.021, RESPECTIVELY.

Mr. Larry Harmer, Senior Planner, stated that previously the Town held a public hearing and had the first reading of Ordinance No. 689-20. He stated that the changes are as follows:

- Administrative cleanup
  - Identified as one of the priorities that needed to be done regarding the Development Code.
- Added legislative changed items to ensure that the Town is current.
- Packaged internal workings of the Code to be more readable and in a user-friendly manner.
  - Added section for temporary use permit

On motion of Vice-Mayor Anderson, seconded by Councilmember Larsen, and carried (6-0) to adopt Ordinance No. 689-20.

Ordinance No. 692-20:

Mayor Walter read Ordinance No. 692-20 by title only.

AN ORDINANCE OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, AMENDING THE CODE OF ORDINANCE, TOWN OF FLORENCE, TITLE XI BUSINESS REGULATIONS, BY AMENDING CHAPTER 111, SECTION 111.05 (F) OPERATIONAL REQUIREMENTS.

Ms. Lisa Garcia, Deputy Town Manager/Town Clerk, stated that the ordinance is for the food truck amendments. The first reading was held on March 16, 2020 and Council also adopted a resolution which allowed for the Town of Florence to suspend those rules. It took the rules from being 250 feet from a residential area to 50 feet from a residential area. It also allows for food trucks that are using solar or less than 66 decimals at the property line to be within 50 feet of a residence.

Councilmember Cordes inquired if food trucks are allowed to set up on a commercial lot next to a restaurant.

Ms. Garcia stated that per State Law, food trucks are allowed to set up on any public street as long as they are not on a residential zone. They need to park in the right direction and can remain there for six hours or less. The Town has a map depicting the residential zone areas in Florence. Property owners of commercial properties can invite food trucks onto their property and provide

them a letter indicating that they have permission to utilize their property. Food trucks can also park in parking spaces.

Discussion occurred on various scenarios.

Ms. Garcia stated that food trucks can park for no more than six hours in a residential area.

Councilmember Anderson asked about the business who wanted to have a food truck on an empty lot until such time that he could build on the property. He asked how long a food truck can park on a commercial property.

Ms. Garcia explained that the Town modified the Code because of the concerns that were brought forward by that property owner who wanted to have a food truck on his property, and it was within 250 feet of a residential area. The Town has changed the boundary to be 50 feet from a residential area to allow for food trucks to vend in Florence.

Ms. Garcia stated that the intent of a food truck is for them to park in a location for a temporary period of time and would normally leave once they are done vending for the day. State Statutes outline the specifics. She can provide the State Statute to all Council via email.

On motion of Councilmember Wall, seconded by Councilmember Anderson, and carried (6-0) to adopt Ordinance No. 692-20.

NEW BUSINESS

Discussion/Approval/Disapproval to enter into a contract with Sunland Asphalt & Construction Inc., for the reconstruction of 28 handicap ramps and 10 non-compliant driveways and sidewalks around the Florence K-8 School, in an amount not to exceed $156,757.80.

Mr. Salas stated that the various handicap ramps and driveways surrounding the Florence K-8 school are not in compliance with the Americans with Disabilities Act (ADA) standards. They lack specific standards of size, slope and truncated domes for the handicap ramps. This area was identified in the Safe Routes to School Study. The study bolsters the ability to obtain grant money because the study supports the need.

Ms. Salas stated that they will utilize the State Procurement Process. The Sunland Asphalt & Construction Inc. contract includes the specific language for federally funded projects through job order contracting, which is difficult to obtain. Fortunately, the Town was able to utilize this contract through job order contracting for this project. The other difficulty is that there are no construction project documents for ADA projects. Because of this, the project would cost between 180% – 190% of the Town's current cost if they had engineer plans. The plans would cost between $75,000 - $80,000; however, the Town is spending approximately $138,000 on the project because we are able to use job order contracting.

Vice-Mayor Anderson inquired what truncated domes are.

Mr. Salas explained that truncated domes are the raised detectable warning device which are raised bumps on a pathway or platform.

On motion of Vice-Mayor Anderson, seconded by Councilmember Larsen, and carried (6-0) to approve a contract with Sunland Asphalt & Construction Inc. for the reconstruction of 28 handicap ramps and 10 non-compliant driveways and sidewalks around the Florence K-8 School, in an amount not to exceed $156,757.80.

Discussion/Approval/Disapproval of the following changes to the Community Services Advisory Board: (Lisa Garcia)

Accept Tom Smith's resignation from the Community Services Advisory Board.

Appoint Doris Hagemann and William Vitalec to the Community Services Advisory Board with terms to expire December 31, 2022.

Ms. Garcia stated that after the Council adopted the ordinance that established the Community Services Advisory Board, staff called each member from the Parks and Recreation Advisory Board, Library Advisory Board and Arts and Culture Commission. It was explained that the boards had been combined and what the duties would entail. Each member was asked if they would like to continue to serve in this new capacity.

Ms. Garcia stated that Mr. Tom Smith stated that he has a lot going on, specifically with the rehabilitation of the Cuen Building, and would not be able to continue on the Community Services Advisory Board and would rather have someone else have the opportunity to serve on the Board.

Staff is requesting that Council accept Mr. Smith's resignation from the Community Services Advisory Council. Staff also had two applications on file and staff contacted them to see if they were still interested in service, which both are. She requested that Council also appoint Doris Hagemann and William Vitalec to the Community Services Advisory Board with terms to expire December 31, 2022.

Ms. Garcia stated that staff are still attempting to fill the vacancy of the two alternates as well as a teen liaison to the Board.

Mayor Walter thanked Mr. Smith for his service and welcomed Ms. Hagemann and Mr. Vitalec.

On motion of Vice-Mayor Anderson, seconded by Councilmember Larsen, and carried (6-0) to approve Tom Smith's resignation and to appoint Doris Hagemann and William Vitalec to the Community Services Advisory Board with terms to expire December 31, 2022.

MANAGER'S REPORT

Mr. Brent Billingsley, Town Manager, stated that his Manager's Report will change while the COVID 19 Pandemic is ongoing. There are many Executive Orders and Emergency Declarations at the various levels of government, and it is important to keep the Council and the public aware of the ongoing changes and the impacts.

Mr. Billingsley stated the following:

- As of today, confirmed Cases of COVID 19
  - Arizona - 2,456
  - Pinal County - 106
- As of today, confirmed deaths due to COVID 19
  - Arizona - 65
  - Pinal County – 0
- Florence is in Phase II with regards to its response to COVID 19
  - All Town facilities are closed to the public
  - Services are being provided online, telephonically, via email or by appointment
  - Staff has been set up in two different shifts
    - Weekly rotation for essential positions
    - Minimizes exposure to allow for continued service in the event if one the shift is exposed
  - Staff health screenings are occurring daily
    - Occur outside the building at 8:00 am at various Town buildings
    - Employees are asked Symptom-type questions and their temperature is taken
      - If employee is symptomatic or has temperature of 100 ¼ they are sent home and are asked to seek medical attention
  - Standardized staff hours work from 8:00 am to 4:00 pm Monday through Friday
  - If employees can telecommute, they are asked to do so.
- Emergency Response
  - Four polices were created to govern how the Town would make decisions staff the Town and provide essential resources
    - Social Distancing Policy
      - Maintain six feet of distance between individuals
      - Having meetings telephonically
      - No visiting of opposite side of building at Town Hall
      - Internal meetings are held by telephonic conference call
    - Essential and Non-Essential Positions Policy
      - Defining positions
    - Telecommuting Policy
      - Responsibilities
    - Town's Implementation of the Families First Coronavirus Response Act
      - Federal Acts that have occurred as a result of the coronavirus
      - How the Town is administering this
        - FSLA Regulations
        - ADA Regulations
- Recordkeeping
  - Track funds utilized regarding what was spent/utilized during the pandemic for possible reimbursement.
    - Carl Dudding, Accountant, has been assigned the official recordkeeper.
      - Must turn in weekly reports to him
        - Hours spent directly tied to emergency
          - ✓ Meetings
          - ✓ Essential functions in response to emergency
        - Equipment used
        - Purchase of supplies

Mr. Billingsley discussed the ongoing cooperation with other entities in terms of the response with the Greater Florence Chamber of Commerce, Small Business (SBDC), Maricopa Association of Governments, Central Arizona Governments, Arizona Commerce Authority, Pinal County and key parts of the State and public safety entities.

Vice-Mayor Anderson inquired about the results of the testing that was done at the prisons.

Mr. Billingsley stated that he is not able to respond on the results themselves; however, the Town has worked with the correctional entities in Florence and a protocol has been put in place to protect our emergency response personnel as well as their personnel while still being able to maintain our level of service. Locations for triage and transportation have been identified and established to limit the exposure of all involved.

CALL TO THE PUBLIC

There were no public comments.

CALL TO THE COUNCIL – CURRENT EVENTS ONLY

Councilmember Hughes stated that she is proud of the Florence citizens and how everyone is helping each other. People are making masks and giving out care packages. This is a time of reflection and hope. She thanked everyone for their efforts and for keeping the Council informed.

Councilmember Cordes stated that people must remember those who suffer anxiety and depression. She asked that people may do some things to help them deal with their anxiety or depression that may not seem essential to you; however, it is beneficial to them as it may be a coping mechanism. She asked everyone to remain kind to one another. She reminded everyone to stay safe and to follow the safety protocols. She has attended a few meetings on Zoom and has found the process to be interesting.

Councilmember Larsen is proud of how Florence has responded. She has witnessed so many acts of kindness and generosity in the community. Communication and dissemination of information has been great. She understands that the fear and anxiety of dealing with the pandemic is real and everyone is reacting differently.

Councilmember Wall stated that this is a very difficult time, especially when you have family far away. She wants everyone to remain safe and thanked the staff who are helping the town residents get through this. She is very proud to be a resident of Florence.

Vice-Mayor Anderson stated that he and his wife have elected to self-quarantine and are grateful to the many people who have offered to do things for them such as shopping. He really appreciated everyone for their efforts and for all of the coordination to keep services going. Florene has a great group of employees who make living in Florence great.

Mayor Walter thanked all the staff for the ongoing communication. She stated that she has attended several meetings from the local level to the national level regarding COVID 19 data. A request has been made to identify the COVID 19 cases by zip code within Pinal County. Knowing

on where the cases are will help combat the spreading of the coronavirus as well as assist the first responders when responding.

Mayor Walter stated that counties are not being consistent across the State. Some are proactively communicating while others have been challenged to release information. There needs to be clear and consistent leadership at higher levels. Mayors from Eloy, Superior, Maricopa, and Casa Grande along with herself, will continue to work on this endeavor.

Mayor Walter stated that there are several acts of kindness being done including hearts in windows, bear hunt in windows, hiding painted rocks, etc. She is grateful that people can spend time with their family and to bring joy and hope to others.

Councilmember Cordes thanked Mount Athos, A & M Pizza and Jalapeno's for providing free meals to students during this time.

Mayor Walter stated that she has received emails from individuals regarding the great service she has received from the Town's employees. She asked that the public continue to send in their comments.

ADJOURNMENT

On motion of Councilmember Larsen, seconded by Councilmember Hughes, and carried (6-0) to adjourn the meeting at 7:05 pm.

Tara Walter

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 April 6, 2020, and that the meeting was duly called to order and that a quorum was present.

Lisa Garcia, Town Clerk