



Minutes
Regular Session
Queen Creek Town Council
Queen Creek Town Hall, 22350 S. Ellsworth Road
Council Chambers
November 2, 2011
7:00 p.m.

1. Call to Order

The meeting was called to order at 7:00pm.

2. Roll Call (one or more members of the Council may participate by telephone)

Council Members present: Alston; Barnes; Benning; Oliphant; Wheatley; Vice Mayor Brown and Mayor Barney.

3. Pledge of Allegiance: Mayor Barney

4. Invocation: Pastor Frank Parenteau, Desert Mountain Bible Fellowship

5. Ceremonial Matters: Presentations, Proclamations, Awards, Guest Introductions and Announcements.

None.

6. Committee Reports

A. Council summary reports on meetings and/or conferences attended. This may include but is not limited to Phoenix-Mesa Gateway Airport; MAG; East Valley Partnership; CAAG. The Council will not propose, discuss, deliberate or take legal action on any matter in the summary unless the specific matter is properly noticed for legal action.

Council Member Benning reported on the following:

Pinal County Board of Supervisors – October 19, 2011: The Board revised a supervisorial district map in response to the Town's and other comments and approved a map that includes both the Town limits and planning area in District 2.

Pinal County Governmental Alliance – October 21, 2011: A presentation was given by the United Food Bank. The remainder of the meeting was focused on the redistricting process specifically congressional/legislative district boundaries.

Arizona Independent Redistricting Commission – October 26, 2011: The public hearing was held in Mesa. A request to the Commission was made to revise the draft congressional and legislative district maps to include the Town of Queen Creek in one congressional and one legislative district and not splitting at the county lines.

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Council Member Benning invited all Council Members to attend the Central Arizona Association of Governments meeting on November 30 with the Town hosting.

Vice Mayor Brown reported on the following:

Maricopa Association of Governments Regional Council – October 26, 2011: MAG staff provided updates on the Prop 400 funding which remains uncertain at this time. The Council recommended approval of revised Federal Fund Programming Guidelines & Procedures pertaining to federal funding for bicycle, pedestrian and ITS projects. An update on air quality issues was presented and the Council recommended approval of a program and funding for 9-1-1 equipment for the region.

Mayor Barney reported on the following:

Phoenix-Mesa Gateway Authority: The meeting was held telephonically and the Board approved a one-year extension on the AMPCO parking contract and approved an advertising license agreement with Knoodle for the baggage area.

B. Partner agencies quarterly or periodic updates to Council. This may include but is not limited to Queen Creek Chamber of Commerce; Queen Creek Performing Arts Center; Boys & Girls Club of East Valley; and Maricopa or Pinal County Board of Supervisors or other governmental agencies. The Council will not propose, discuss, deliberate or take legal action on any matter in the summary unless the specific matter is properly noticed for legal action.

Boys & Girls Club 1st Quarter Report: Kevin McCoy, the new Branch Executive Director was introduced and gave the quarterly report. Mr. McCoy provided statistics on the membership; Back to School program; basketball league and other activities and reported on the 2nd Quarter plans pertaining to the teen program and national programs. Mr. McCoy thanked the Town for supporting Trunk or Treat.

C. Transportation Advisory Committee – October 6, 2011: Ryan Nichols, Committee Chair, reported that the Committee heard updates regarding Superstition Vistas; traffic calming techniques; Intelligent Transportation System and the two projects submitted to Maricopa County Department of Transportation.

D. Parks and Recreation Advisory Committee – October 11, 2011: Council Member Oliphant reported on the status of the Trunk or Treat event and that enough revenues had been raised to hold the event. Staff provided an overview of the FY11/12 recreation services budget, organizational chart, partners and field allocation guidelines. The committee discussed appointing a sub-committee to review partnership guidelines. The next meeting is November 8, 2011.

E. Town Center Committee – October 12, 2011: Council Member Barnes reported on the presentation & discussion of the RFP for the Town-owned 17-acre parcel. Discussion and recommendations were considered for the Iron Railing project (delayed); Façade Improvement Program (recommended); and approval of a banner

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and flag program in Town Center in an amount not to exceed \$5,000 and requesting information on the cost for installation of road spanning banners.

7. Public Comment: Members of the public may address the Town Council on items not on the printed agenda and during Public Hearings. Please complete a "Request to Speak Card", located on the table at the rear of the Council Chambers and turn it in to the Town Clerk prior to the beginning of the meeting. There is a time limit of three minutes for comments.

None.

8. Consent Calendar: Matters listed under the Consent Calendar are considered to be routine and will be enacted by one motion and one vote. Public Hearing items are designated with an asterisk (*). Prior to consideration of the Consent Agenda, the Mayor will ask whether any member of the public wishes to remove a Public Hearing item for separate consideration. Members of the Council and or staff may remove any item for separate consideration.

A. Consideration and possible approval of expenditures over \$25,000.

B. Consideration and possible approval of the September 21, 2011 Work Study and Regular Session Minutes.

C. Consideration and possible approval of the October 5, 2011 Work Study and Regular Session Minutes.

D. Consideration and possible approval of a service contract with Romo Irrigation in the amount not to exceed \$85,000 for irrigation services.

E. Consideration and possible approval of the commencement of quiet title action to acquire real property located at Rittenhouse and Signal Butte Roads (Parcel # 304-64-017D) for the purpose of expanding water facilities.

F. Consideration and possible approval authorizing the Town Attorney's to exhaust administrative and judicial appeals and proceed with a motion for summary judgment challenging the Social Security Administration's decision that Town firefighters are subject to Social Security in the amount not to exceed \$90,000.

G. Consideration and possible approval of **Resolution 889-11** designating the election date and purpose of election, designating the deadline for voter registration; and designating the last date for candidates to file nomination papers for the March 13, 2012 Primary and May 15, 2012 General elections.

H. Consideration and possible approval of the appointment of Sylvia Tarin to the Parks and Recreation Advisory Committee.

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Staff requested Item D removed for discussion.

**Motion to approve the remainder of the Consent Calendar as presented
(Brown/Alston/Unanimous)**

Item D: Utility Director Paul Gardner reviewed the deletion of irrigation services in the FY11/12 budget. Mr. Gardner explained that originally the property owner was to open & close the port on their property but after further consideration and in order to protect the Town's irrigation system and property, it is now proposed that the Town contract with a third-party provider to provide the service. Mr. Gardner reviewed the procurement process and selection of Romo Irrigation based on experience and knowledge of the system. He also added that there would be no cost increase to the customer for services provided by Romo Irrigation.

Council asked how other irrigation districts operated. Mr. Gardner explained about irrigation districts and the different design of underground pipes or ditches. There was additional discussion on cost savings to the Town and costs for irrigation services paid by the irrigation customers.

Motion to approve Item D on the Consent Calendar (Wheatley/Benning/Unanimous)

PUBLIC HEARINGS: If you wish to speak to the Council on an item listed as a Public Hearing, please complete a Request to Speak Card and turn it in to the Town Clerk. Speakers will be called upon in the order in which their cards are received. Speakers are limited to three (3) minutes each.

None.

FINAL ACTION: If you wish to speak to the Council on an item listed under Final Action, please complete a Request to Speak Card and turn it in to the Town Clerk. Speakers will be called upon in the order in which their cards are received. Speakers are limited to three (3) minutes each.

9. Discussion and possible approval of an Intergovernmental Agreement with the Queen Creek Unified School District for fuel purchases.

Public Works Manager Troy White reviewed the 2011/12 budget discussions on cost saving measures for fleet fuel expenses and went over the benefits and recommendations for entering into an IGA with the Queen Creek School District. Mr. White said alternative options were explored prior to the recommendation but none were found to be viable. Mr. White continued with provisions of the IGA including term length; fitting vehicles with fueling system; administrative costs; and proportionate share of software costs.

Council asked if Maricopa County Sheriff's Office (MCSO) vehicles could participate. Mr. White responded that the School District would enter into the same agreement with MCSO but separate from the Town.

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Mr. White acknowledged and thanked the Queen Creek Unified School District Governing Board and administration for moving forward on this agreement.

Candy Cooley, representing the School District, stated this was a great opportunity that benefits both the Town and School District.

Motion to approve an Intergovernmental Agreement with the Queen Creek Unified School District for fuel purchases (Alston/Barnes/Unanimous)

10. Update, discussion and possible direction on the QC Incubator program.

Kim Moyers, Economic Development Specialist, stated that Council had requested this item on the agenda and provided background information on the QC Incubator and criteria for accepting applicants based on a feasibility study. Ms. Moyers also stated that the Incubator is located in the former Queen Creek Water Company office space and the Queen Creek Chamber of Commerce is the anchor tenant.

Ms. Moyers reviewed the services provided; business training opportunities; acceptance criteria and potential job growth in Queen Creek. She reported there are currently 11 tenants ranging from start-up businesses using space part-time and full-time businesses.

Ms. Moyers requested input from Council on their expectations of the Incubator and any comments on the criteria for acceptance.

Comments and discussion included:

- Good use of space but concerned with one business within the Business Acceleration category using the majority of space available
- Need to look at sales tax generating businesses
- Lack of waiting list
- Encouragement should be given to home based occupations and young businesses
- Discourage internet businesses
- Consideration of future location of Incubator once lease with current space is expired. Ms. Moyers responded that a recommendation for continuing with the program will be considered after one full year of operation.
- Concern with a large business of 15+employees using Incubator space. Ms. Moyers explained that particular business is only allowed a 12-month total lease as it is more established at another location and other tenants have 6-month extendable leases for 18-24 months.

There was discussion on the importance of having the Queen Creek Chamber located in the same space and providing businesses with information as well as visitors. Council discussed the advantages of the Incubator and low costs incurred for tenants that are not paid by other small businesses located elsewhere. Council also asked if there were

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any requirements for “graduates” to locate their business in the Town. Ms. Moyers explained that requirement was considered but it was determined to be very difficult to enforce.

There were additional questions about a pending application to use a cubicle with limited services and Ms. Moyers reviewed again the criteria for acceptance and types of office “space” available (4 walls; cubicle; desk space).

Motion to continue with the existing criteria and process until further discussion and consideration occurs in March 2012 (Alston/Brown) Vote: 6-1 (Barnes)

Motion Passed.

11. Discussion and possible action on leasing of Town facilities to non-profit agencies.

Town Manager Kross introduced this item stating that it was on the agenda as a follow-up to the August retreat discussion on possible amendments to the current policy.

Management Assistant Tracy Corman reviewed the current policy adopted by Resolution 796-09 that is applicable to long-term (5-year or more) leases and not individual room rentals. Ms. Corman stated that research indicates that most cities consider long-term leases to non-profits on a case-by-case basis and all are concerned with complying with the gift clause applicable to government agencies. Ms. Corman requested Council feedback/direction on any changes which would be submitted to non-profit agencies for review and comment prior to future Council consideration.

There was discussion regarding building safety; tenant improvements made by a non-profit to make a building safe to occupy.

Council discussed specific requirements in the adopted policy in regards to providing copies of board meeting schedules, minutes and financial statements, and the public notification process when an application is submitted.

Additional discussion was in regard to government focusing on core services in the public health and safety areas and the need to consider maintenance of existing buildings, costs to repair dilapidated buildings and possible sale of vacant buildings.

Motion to continue using the approved leasing policy to non-profit agencies adopted by Resolution 796-09 (Brown/Alston) Vote: 6-1 (Barnes)

Motion Passed.

12. Discussion and possible action on the non-profit funding application process.

Management Assistant Corman stated this item was being presented for discussion and possible direction as a follow-up to the August retreat. Ms. Corman reviewed the non-profit funding application and the explained the process of review for completeness and

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distribution to the Budget Committee, Town Manager and Assistant Town Manager for funding consideration. Ms. Corman noted that a line item or place holder is included in the budget for non-profit funding. She provided some options for Council to consider how funding could be allocated:

- Partners (i.e. Chamber of Commerce/Queen Creek Performing Arts Center) and contractors (i.e. Boys & Girls Club) could be funded differently
- Designating a certain percentage of the General Fund for non-profit funding
- Creating a Citizen Review Committee
- Considering community events and services separately

It was suggested that any amendments to the current application and process be sent to non-profit agencies for comments prior to Council consideration.

Council discussed adding a donation line to the utility bill, allowing taxpayers to decide what service or non-profit they wanted to donate to. Funds collected would then be distributed accordingly. There was also discussion on the difficulty of selecting a few out of many non-profit agency applications to support with limited funding.

Council discussed how a citizen committee might be able to engage the community and determine what services or programs are desired or needed. The discussion included determining what percentage of the budget to set aside for non-profit funding; setting priorities for services or programs provided by non-profit agencies; finding other funding sources and distinguishing between one-time events vs. on-going programs.

There was no motion to amend the policy or process for funding non-profit funding; however, it was directed that the Budget Committee separate partner agencies, one-time events and charitable donations and consider including some funding within department budgets.

Town Manager Kross stated that staff will continue to work within the existing process and possibly consider a task force in the future to look at policy issues – but not the actual funding of non-profits.

13. Discussion and possible action on the revisions to the Corporate Strategic Plan.

Town Manager Kross stated Corporate Strategic Plan Key Result Areas 9 & 10 were continued from the October 19, 2011 Council meeting and were being presented tonight for review and discussion:

KRA 9 – Public Safety (Fire, Emergency Services and Police/Sheriff)

- Goal 1: Create, develop and test new staffing and deployment model (for future) to replace current plan from 2005. Mr. Kross explained this goal was re-worded for clarity and the 2005 plan referred to the Buracker report. Fire Chief Van Summers added that options would be considered on staffing, emergency response times and cost savings.

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- Goal 2: MCSO District 6 staffing and deployment model. This goal has been clarified.
- Goal 3: Crime Prevention Programs. There was some discussion on MCSO as a support role.
- Goal 4: Develop and exercise the Town's Disaster Management System (CERT)
- Goal 5: Evaluate and support options for Queen Creek County Island Fire District. (New Goal)

Mr. Kross discussed fire district statutes and changed the completion date to 2012 (from 2014)

KRA 10 – Technology

- Goal 1: Implement emerging technologies. This goal statement has been clarified, revised and updated to consider new technology, GIS and telecommunications.
- Goal 2: Maintain an active and relevant website.

Workforce & Technology Director Bruce Gardner stated that a new website format may be recommended. (New Goal)

- Goal 3: Implement emerging technologies regarding manpower, sustainability and operations. (New Goal)

Utilities Director Paul Gardner stated that new technologies are used in water/wastewater; maintenance and monitoring of facilities; equipment; materials; well sites; software for customer service and GIS/GPS.

Mr. Kross stated that the revised Corporate Strategic Plan would be on the December 1, 2011 Council agenda for possible approval.

ITEMS FOR DISCUSSION: These items are for Council discussion only and no action will be taken. In general, no public comment will be taken.

None.

14. Motion to adjourn to Executive Session: The Council may reconvene the Executive Session for any of the items listed on the Executive Session Agenda.

None.

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15. Adjournment

The meeting was adjourned at 10:00pm.

TOWN OF QUEEN CREEK

Gail Barney, Mayor

Attest:

Jennifer F. Robinson, MMC

I, Jennifer F. Robinson, do hereby certify that, to the best of my knowledge and belief, the foregoing Minutes are a true and correct copy of the Minutes of the November 2, 2011 Regular Session of the Queen Creek Town Council. I further certify that the meeting was duly called and that a quorum was present.

Jennifer F. Robinson, MMC

Passed and approved on December 7, 2011.