



**Minutes  
Regular Session  
Queen Creek Town Council**

Queen Creek Town Hall, 22350 S. Ellsworth Road  
Council Chambers  
September 5, 2012  
7:00 p.m.

**1. Call to Order**

The meeting was called to order at 7:05pm.

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

Council Members present: Barnes; Brown; Gad; Wheatley; Vice Mayor Benning and Mayor Barney. Council Member Oliphant was absent.

**3. Pledge of Allegiance:** Led by Mayor Barney

**4. Invocation:** A moment of silence was held.

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

- Proclamation – Boys & Girls Club Day for Kids: With several Boys & Girls Club members standing with him, Mayor Barney read a proclamation naming Saturday September 15, 2012 as Boys & Girls Clubs Day for Kids in Queen Creek.

**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.

Phoenix-Mesa Gateway Airport Authority – August 27, 2012: Mayor Barney reported on the Board's telephonic meeting at which service with Frontier Airlines was approved along with three construction contracts to improve the baggage handling facilities.

Arizona League of Cities & Towns Annual Conference – August 28-31, 2012: Mayor Barney reported that the Council attended the conference.

Town Council Retreat – August 24-25, 2012: Mayor Barney reported that the Council and a few staff members participated in the annual Council Retreat.

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;

**Minutes for the Regular Session  
Queen Creek Town Council  
September 5, 2012  
Page 2**

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.

1. Presentation by Maricopa County Flood Control District and discussion on area flood control projects. *Presented at Work Study Session.*
2. Presentation by Lynn Kusy, Executive Director of Phoenix-Mesa Gateway Airport on the Gateway 2030 Plan. *Presented at Work Study Session.*
3. Presentation by Tom Lindsey, Superintendent of Queen Creek Unified School District on the proposed Bond Override.

Town Attorney Fredda Bisman explained to the Council that this presentation was on the agenda at the request of Tom Lindsey.

Mr. Lindsey gave a brief presentation on the proposed 2012 Maintenance & Operations Override set to go to the voters of the Queen Creek Unified School District on November 6, 2012.

C. Parks & Recreation Advisory Committee – August 14, 2012: Dru Alberti, reported on the proposed changes and recommendations to the Youth Sport Partnership Guidelines; Committee Work Plan for FY12-13 and updates from staff on the status of Trunk or Treat – October 27<sup>th</sup>, Christmas Festival & Parade – December 1<sup>st</sup>; special interest class revenues and the end of season reports for Queen Creek Little League and Queen Creek Heat Softball. The next meeting is December 11, 2012.

D. Economic Development Commission – August 22, 2012: Council Member Wheatley reported on the Commission’s approval of the Work Plan for FY12-13 and presentations on real estate trends and the Queen Creek Unified School District. The next meeting is September 26, 2012.

**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.

**Minutes for the Regular Session**  
**Queen Creek Town Council**  
**September 5, 2012**  
**Page 3**

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

1. Horine Electrical - \$270,000
2. Pavement Marking, Inc. - \$60,000

B. Consideration and possible approval of a contract with Arizona Soccer Club to produce a Recreational Soccer League in the Town of Queen Creek and making the Arizona Soccer Club an official partner with the Town.

C. Consideration and possible approval of a lease with T-Mobile for cellular communications facilities at Founders Park.

D. Consideration and possible approval of a contract amendment with Eagle Lift Contracting (Contract # 2011-056) in the amount of \$50,000 for void fill and stabilization services.

E. Consideration and possible approval of a Job Order Contract with SDB Contracting in an amount not to exceed \$400,000 for construction services throughout Town including major/minor construction projects, renovations, repairs, additions and demolitions to Town Facilities.

F. Consideration and possible approval of a Temporary Extension of Premises/Patio Permit liquor license application submitted by Rebecca Dettler on behalf of Trophy's Steakhouse, 7215 S. Power Rd., (Power Marketplace) for an event to be held October 26-28, 2012. (Trophy's Steakhouse liquor license #06-070273).

G. Consideration and possible approval of a Permanent Extension of Premises/Patio Permit liquor license application submitted by Rebecca Dettler on behalf of Trophy's Steakhouse, 7215 S. Power Rd., (Power Marketplace) for permanent patio seating. (Trophy's Steakhouse liquor license #06-070273).

H. Consideration and possible approval of the FY12-13 Parks and Recreation Advisory Committee Work Plan.

I. Consideration and possible approval of the FY12-13 Town Center Committee Work Plan.

J. Consideration and possible approval of the FY12-13 Economic Development Commission Work Plan.

K. Consideration and possible approval of the reappointment of Jason Barney as the Town's representative on the Greater Phoenix Economic Council (GPEC) Board of Directors for FY12-13.

L. Consideration and possible approval of **Ordinance 517-12** annexing roadway alignments per the 2006 Intergovernmental Agreement between Maricopa County and the Town of Queen Creek for the Operation, Maintenance, Traffic Control and Permitting Responsibilities for Various Arterial Roadways.

**Minutes for the Regular Session  
Queen Creek Town Council  
September 5, 2012  
Page 4**

**\*M.** Public Hearing and possible approval of **RZ12-034/Ordinance 518-12 Victoria Estates Parcels 10, 11 and 11A** – a request by Ralph Pew of Pew & Lake, PLC, to repeal Ordinance 466-09 and Resolution 813-09; and to rezone the property from R1-4 and R1-5 to R1-7 PAD and R1-9 PAD. The property is located northeast of the intersection of Hawes and Ocotillo Roads.

**Motion to approve the Consent Calendar as presented** (Gad/Wheatley/Unanimous)  
*(It is noted that the voting system registered Council Member Barnes as voting “No” but it was verified with Council Member Barnes his intent was to vote “Yes”)*

**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.

*None.*

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

**9.** Overview and discussion on SB1598 “Regulatory Bill of Rights”. *(If not done at Work Study Session)*

Management Assistant Kevin Johnson gave an overview of SB1598 “Regulatory Bill of Rights” passed by the 2011 Legislature. Mr. Johnson discussed the requirements and the Town’s compliance action plan.

There was discussion on the challenges for implementing the requirements based on staff capacity, consensus from shareholders on actions and possible negative effects on customers with some of the new requirements. He noted that there were also some positive outcomes from streamlining and tracking. Mr. Johnson added that an additional report would be presented to the Council on October 17, 2012 in regard to timeframes.

Council asked whether Town ordinances would be updated. Mr. Johnson responded that at this time checklists and policies would be created and there is the possibility that the bill would be revisited by the Legislature. Additional discussion was in regard to how other municipalities were interpreting the bill. Mr. Johnson stated that there was a wide range of interpretation.

**Minutes for the Regular Session  
Queen Creek Town Council  
September 5, 2012  
Page 5**

**10. 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.

**11. Adjournment**

**Motion to adjourn the Regular Session at 7:50pm** (Benning/Brown/Unanimous)

TOWN OF QUEEN CREEK

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Gail Barney, Mayor

Attest:

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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 September 5, 2012 Regular Session of the Queen Creek Town Council. I further certify that the meeting was duly called and that a quorum was present.

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Jennifer F. Robinson, MMC

Passed and approved on September 19, 2012.