



Minutes
Regular Session
Queen Creek Town Council
Queen Creek Town Hall, 22350 S. Ellsworth Road
Council Chambers
November 20, 2013
7:00 p.m.

1. Call to Order

The meeting was called to order at 7:00p.m.

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

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

3. Pledge of Allegiance: Eagle Scout Moses James Hansen

4. Invocation: A moment of silence was observed for those serving in the military – past, present and future.

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

A. Eagles Scout Recognition – Moses James Hansen

Eagle Scout Hansen was recognized for organizing 27 volunteers and providing and 80 man hours cleaning, preparing and painting the fence around the skate park at Founders Park.

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; CAG. 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.

Vice Mayor Oliphant reported on the following meetings & events:

Maricopa Association of Governments Regional Council – October 23, 2013: The Council approved transit project changes to the FY2011-2015 MAG Transportation Improvement Program; and heard updates on the statewide plan to reduce the number of vehicle accidents and on the Navajo Generating Station and compliance with the EPA requirements to reduce emissions. The next meeting is December 4, 2013.

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Greater Phoenix Economic Council – Community Partnership Program – November 13, 2013: Also attending was Council Member Gad. Presentations were given by the Town’s Economic Development staff on key economic development initiatives and GPEC President & CEO Barry Broome gave a presentation on GPEC’s initiative “Metropolitan Business Plan.

East Valley Partnership-Economic Development Committee – November 12, 2013: Also attending was Council Member Gad. The meeting was held at the new Communiversity @ Queen Creek. Rio Salado College representative Barbara Khalsa gave an overview on the programs and partners at the Communiversity. Roc Arnett with East Valley Partnership provided an update on EVP projects including an East Valley branding initiative. A tour of the Communiversity was provided at the end of the meeting.

Scout Den #939 – Grand Canyon Council – November 12, 2013: This meeting with the Den members provided an opportunity to discuss the roles & responsibilities of being in an elected office; Queen Creek historical information, and ways to be a responsible citizen.

Mayor Barney reported on the following meetings and events:

Boys & Girls Club of East Valley 36th Annual Bids for Kids Auction & Dinner – November 9, 2013: This included a short program and silent auction fundraiser for the East Valley programs.

2013 National League of Cities (NLC) Congress conference – November 13-16, 2013: Also attending were Council Member Barnes; Council Member Benning and Council Member Brown. The conference was held in Seattle, WA. Sessions included municipal finance, economic development, sustainability and community development. The next conference will be held in Austin, TX in November 2014.

Maricopa Association of Governments Executive Committee – November 18, 2013: The Executive Committee also serves as the Regional Community Partners Board of Directors and accepted funding to support aging services planning in the amount of \$45,000 from the Virginia G. Piper Charitable Trust and Arizona Community Foundation. The MAG Executive Committee also approved a consultant to conduct the Interstate 10/Interstate17 Corridor Master Plan; and appointed the Committee Chair & Vice Chair for 2014. The next meeting is January 2, 2014.

Phoenix-Mesa Gateway Airport Authority Board of Directors – November 18, 2013: Updates were given from ASU Polytechnic and Chandler Gilbert Community College; approval was given on the FY2015-2017 employee health insurance premium contributions; property marketing consultant was approved and the airports 20th anniversary was announced with the “Gateway Aviation Day” event on Saturday March 8, 2014. The Board also heard an appeal on the bid process for the runway reconstruction project. The next meeting is December 16, 2013.

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Maricopa Association of Governments Stakeholders Workshop – November 20, 2013: members of MAG Regional Council and Transportation Policy Committee discussed the final draft of a survey for the MAG Transportation Poll.

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.

None.

C. Town Center Committee – November 13, 2013: Vice Mayor Oliphant reported on the Committees action on Façade Improvement Program application; Town’s monument signage; ASU Vision project and the tour of Banner Health Center. The next meeting is January 8, 2014.

D. Transportation Advisory Committee – November 14, 2013: Committee Chair Chris Clark reported on the committees’ discussion on the transportation elements of the 2013 Major General Plan amendments.

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.

Tom Di Camillo, representing Central Arizona College, invited the Council to the ribbon cutting ceremony on December 5, 2013 for the new San Tan Campus located on Bella Vista Rd. in San Tan Valley.

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 the October 16, 2013 Work Study and Regular Session minutes.

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

1. Chapman Ford – 2014 Ford Explorer (Public Works Fleet): \$28,250 (*Budgeted in FY13/14*)
2. Town of Gilbert – IGA for Fire support services: \$100,000 (*Budgeted in FY13/14*)

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C. Consideration and possible approval of the appointment of Cliff Bartholomew and Derek Neighbors to the Economic Development Commission.

D. Consideration and possible approval of a Permanent Extension of Premises Application submitted by Mark Schnepf on behalf of Schnepf Farms, 22601 E. Cloud Rd., for festivals and other events held at Schnepf Farms. The farm has a current liquor license #07070502. *(Continued from the November 6, 2013 Council meeting)*

*E. Public Hearing and possible approval of a Series #09 (License #0907008) Liquor License Location Transfer application submitted by Kim Kwiatkowski on behalf of Circle K Stores, Inc. The application is to transfer the current Series #09 Liquor Store License from Discount Beverage Outlet #5289 (owned by Circle K Stores, Inc.) 22005 S. Ellsworth Road to Circle K Store #8593, 21895 S. Ellsworth Road.

Staff requested Item C removed.

Motion to approve the remainder of the Consent Calendar:

1st: Wheatley

2nd: Barnes

VOTE: Unanimous

Item C: Staff requested that only Derek Neighbors be appointed to the Economic Development Commission.

Motion to appoint Derek Neighbors to the Economic Development Commission:

1st: Brown

2nd: Gad

VOTE: 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 **Resolution 970-13** approving the Development Agreement between the Town and VPQCM, LLC (Vestar).

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Economic Development Director Doreen Cott reviewed the development agreement and fee waivers contingent upon the theatre opening May 1, 2015. Ms. Cott pointed out that the groundbreaking is January 2014 and grand opening May 2015.

Council discussed economic spillover and support to other businesses not only in the Marketplace but surrounding businesses.

Motion to approve Resolution 970-13 the Development Agreement between the Town and VPQCM, LLC (Vestar):

1st: Brown

2nd: Benning

VOTE: Unanimous

10. Discussion and possible approval of **Resolution 969-13** and **Ordinance 539-13** amending the Town Code Chapter 7, Article 1 “Administration” and Article 2 “Amendments”; adopting new building construction codes and standards by repeal of existing Article 1 and Article 2 and adoption of new Articles; repealing all ordinances of the Town of Queen Creek in conflict therewith and setting an effective date.

Mayor Barney announced that one representative of those in favor or opposed could be selected and given additional time to present the concerns of the group.

Community Development Director Chris Anaradian stated that building codes provide guidance for safety and integrity in construction.

Building Official Michael Williams gave a brief history of the building codes in the US for consistency and compatibility for safety and sanitation. He discussed the Code development process; minimum requirements and amendments. Mr. Williams stated that the Green Building Code is not proposed for adoption at this time but the Energy Conservation Code w/amendments is being recommended.

Council asked for clarification on why the Green Building Code is not recommended. Mr. Williams explained that the Energy Conservation Code overlays the Green Building Code but builders can still use either. Council also asked how violations of the Building Codes would be enforced. Mr. Williams responded that a violation of building without a permit or refusing to comply with the building codes is considered a misdemeanor. Town Attorney Fredda Bisman added that every attempt is made to have a violator come into compliance and legal action is rarely needed. She also stated that violations are considered as misdemeanor 1 which is the lowest classification.

The Mayor opened the Public Comment:

Bill Cleveland, Mesa, representing SBA, was in support of the Building Codes as recommended by staff.

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Marcus Ray, Mesa, spoke in opposition to building regulations.

Jenny Stewart, Queen Creek, submitted written comments in opposition.

Rusdon Ray, Queen Creek, spoke in opposition to the Council approving the building codes.

Calvin Johnson, Queen Creek, spoke in opposition and said Council should not adopt mandates from the federal government but should pick what codes Queen Creek wants.

Jackson Moll, representing the Homebuilders Association of Central Arizona, spoke in favor the building codes in general but the Association still had concerns with the Energy Code due to added costs. Mr. Moll supported staff's recommendations.

Myrna Memmott, Queen Creek, submitted written comments opposed.

Sharon Bonesteel, representing SRP, spoke in favor of the building codes including the Energy Code.

Emilena Turley, Queen Creek, spoke in opposition.

Ray Scott, Chandler, submitted a card in opposition.

Paul Mann, San Tan Valley, spoke in favor of the Building Codes. He also stated that he was a member of SBA.

The Public Comment was closed.

Council discussed perceptions of excessive government regulations; possibility of adopting building codes exclusive to Queen Creek; previous and current building codes protecting people against lead poisoning; asbestos and fire with the smoke detector requirements. Discussion was also in regard to the possible added expenses to the homebuilder or homebuyer and ensuring that Queen Creek is a safe and healthy community.

Motion to decline staff's recommendation to adopt the new building codes and standards and preserve the existing codes:

1st: Gad

2nd: Wheatley

VOTE: 2-5 FAILED

Barnes – nay

Benning – nay

Brown – nay

Gad – aye

Wheatley – aye

Oliphant – nay

Barney – nay

Motion to approve Resolution 969-13 and Ordinance 539-13 amending the Town Code Chapter 7, Article 1 “Administration” and Article 2 “Amendments”; adopting new building construction codes and standards by repeal of existing Article 1 and Article 2 and adoption of new Articles; repealing all ordinances of the Town of Queen Creek in conflict therewith and setting an effective date:

1st: Benning

2nd: Brown

VOTE: 5-2 PASSED

Barnes – aye

Benning – aye

Brown – aye

Gad – nay

Wheatley – nay

Oliphant – aye

Barney – aye

The meeting was recessed from 8:59 – 9:09p.m.

Mayor Barney suspended the rules and moved Agenda Item #13 prior to Agenda Items #11 & #12.

11. Discussion and possible action on the Council annual retreat action plan concerning annexation evaluation of certain portions of the Town’s planning area.

Community Development Director Chris Anaradian discussed the process of annexing state land. He recommended maintaining a strong relationship with the Arizona State Land Department while planning for infrastructure and development. Town Manager John Kross added that with Queen Creek’s limited resources, it may be unrealistic to expect any annexation of the state land indentified in the current General Plan and it should be considered as part of the 2015 General Plan Update.

Council discussed the importance to have a long range strategic plan and be pro-active prior to any annexation.

12. Discussion and possible action on proposed amendments to the Standard Form By-laws for Committees, Boards and/or Commissions.

Assistant to Town Manager Tracy Corman reviewed the proposed amendments to the three policies that are related to committee membership; definitions; inactive committees and minimum number of voting members. The amendments are scheduled to be on the December 4, 2013 Council agenda for 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.

13. Discussion on the School Resource Officer (SRO) Program.

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Town Manager Kross briefly stated that this item was a follow-up from the August Council Retreat discussion.

MCSO Capt. Randy Brice gave a presentation on MCSO's philosophy and approach on the School Resource Officer (SRO) program. Capt. Brice explained that Queen Creek follows the NASRO Standards and the partnership between the Town, Queen Creek School District and Maricopa County Sheriff's Office. He explained the training required to be an SRO and the School Districts' option to determine what level of training they want the SRO to have.

Council asked if there were any "success stories". The response was the interaction between the SRO and students is a positive influence no major incidences have occurred because of the interaction before reaching that level.

Council also asked if there was any consideration to introducing the program at the junior high/middle school. Capt. Brice responded that based on the programs implemented by the SRO and those schools, the need for a dedicated SRO has decreased and it has been found that having the SRO at the high school level has the most influence.

There was discussion regarding other programs in place at the schools; the presence of public safety officers and Posse support in programs. There was also discussion on mitigating an event vs. preventing an event.

Queen Creek School Superintendent Tom Lindsay stated that the SRO approach and program is balanced and tailored for the Queen Creek schools. He commended retired MCSO Deputy Mike Lucas, Capt. Brice and Deputy Ivan Lopez for their involvement with the schools, students and community. Mr. Lindsay stated that the current SRO program is funded 50/50 between the Town and QCUSD and that the schools do have other security on site.

14. Discussion on organizational succession planning.

HR Director Bruce Gardner gave a presentation on what and how succession planning is done. He reviewed the diversity of employees; components of succession planning including level of competency, employee development; benefits and identifying key positions within departments. Mr. Gardner also reviewed the results of an employee survey on job satisfaction.

Mr. Gardner stated the Town's succession plan, that will begin to be developed in January 2014 will include a cross training program; mentor program; individualized development plan and career paths and implemented during 2014.

15. Discussion on the 2014-2019 Corporate Strategic Plan.

Town Manager John Kross reviewed proposed updates to the Key Result Areas of the Corporate Strategic Plan and requested any additional input from Council.

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16. Update on the Town's 25th Anniversary events and logo.

PIO/Chief Marketing Officer Marnie Schubert stated that the kick-off event for the 25th Anniversary Celebration will be at the State of the Town Address in January 2014. Ms. Schubert presented the proposed anniversary logo that incorporates the current logo; Queen Creek Flag contest and other monthly special events. Council suggested recognizing the prior Council's; group photos and retaining the green & gold Queen Creek flag as the official flag for events.

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

Motion to adjourn/reconvene to Executive Session at 11:26p.m:

18. Adjournment

The meeting reconvened and adjourned at 11:45p.m.

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 20, 2013 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 20, 2013.