



Minutes
Regular Session and Possible Executive Session
Queen Creek Town Council
Queen Creek Town Hall, 22350 S. Ellsworth Road
Council Chambers
April 16, 2008
7:00 p.m.

1. Call to Order

The meeting was called to order at 7:06pm.

2. Roll Call

Council Members present: Coletto-Cohen; Hildebrandt; Mortensen; Valenzuela; Wootten; Vice Mayor Barney and Mayor Sanders.

3. Pledge of Allegiance:

Led by members of the Duane Ellsworth American Legion Post 129.

4. Invocation: Council Member Gordon Mortensen

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

6. Committee Reports

A. Queen Creek Youth Commission – April 2, 2008: Melissa Tiscareno, Chair, gave a report on the April 2 Youth Commission meeting. Items discussed were: Relay for Life rummage sale; participating in the Mr. Relay pageant and a recap of the Dinner with the Mayor held on March 25. Ms. Tiscareno reported that the Commission retreat will be held on May 17 from 9am-9pm.

B. SRP Task Force – April 1, 2008: The Task Force members discussed undergrounding 69kV power lines and the costs and benefits. The next meeting is scheduled for May 20.

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.

Bryan Martyn, Gold Canyon, AZ, introduced himself as a candidate for Pinal County Supervisor District 2.

Dick Muir, President of the American Legion Riders Post 129 and co-founder of Operation Wounded Warrior presented the Town with a plaque in appreciation of the support of the

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program. He stated that Queen Creek is the official home of “Operation Wounded Warrior” and has received statewide recognition.

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 April 2, 2008 Work Study and Regular Session Minutes.

B. Consideration and possible approval of budget line item reallocations.

C. Consideration and possible approval of expenditures over \$10,000.

D. Consideration and possible approval of **Resolution 725-08** declaring as a public record the “Amendments to the Town Code Chapter 7, Article 6 Buildings and Building Regulations” amending and establishing fees rendered by or through the Town of Queen Creek Community Development Department.

E. Consideration and possible approval of **Ordinance 424-08** adopting by reference the “Amendments to the Town Code Chapter 7, Article 6 Buildings and Building Regulations” amending and establishing fees rendered by or through the Town of Queen Creek Community Development Department.

F. Consideration and possible approval of the Final Replat for Queen Creek Fiesta Lots 2 and 13, a request by Tom Alford of De Rito Partners Development, Inc. (DP 94, LLC). The project is located north of Ocotillo Road and west of Ellsworth Road.

G. Consideration and possible approval of the Notice of Intent to modify water rates and fees and set a date for a public hearing date of May 21, 2008 on the proposed modifications.

H. Consideration and possible approval of **Resolution 727-08** authorizing the Town Manager to execute and perform related acts as required by the Central Arizona Groundwater Replenishment District (CAGRDR).

I. Consideration and possible approval of a professional services contract in the amount not to exceed \$9,111.85 for FY07-08 for software installation, training and two months hosting services and \$700 monthly hosting fees beginning July 1, 2008, with Granicus Inc., in support of streaming video of Town Council Meetings.

J. Consideration and possible approval a design contract in the amount not to exceed \$18,180 with Dibble Engineering for design of a diversion structure on the Town’s wastewater collection line.

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K. Consideration and possible approval of a Job Order in the amount not to exceed \$113,117.40 to the AJP Electric, Inc. JOC #2006-70 for improvements to the traffic signal at Ellsworth and Cloud Roads.

L. Consideration and possible approval of a Job Order in the amount not to exceed \$58,333 to the AJP Electric, Inc. JOC #2006-70 for improvements to the traffic signal at Ellsworth and Chandler Heights Roads.

M. Consideration and possible approval of **Ordinance 425-08** amending Town Code Chapter 9, Article 9-2-4 Removal of Graffiti by the Town reducing the compliance time for removal of graffiti.

N. Consideration and possible approval of **DR08-028** "Village Estates by Kjay Homes" on Parcel 2 of the "Villages at Queen Creek".

O. Consideration and possible approval of **SD07-202** "Power and Riggs Center" Preliminary Plat.

P. Consideration and possible approval of a contract amendment in the amount of \$5,000 to the Van Scoyoc and Associates Contract # 2008-04 for reimbursables and related expenses for a total contract amount not to exceed \$97,000.

Q. Consideration and possible approval of **Resolution 726-08** abandoning excess right-of-way for 204th Street adjacent to Parcel #304-91-073-G, owned by Jeffrey Lee & Teresa Louden.

R. Consideration and possible approval of a contract for the temporary roadway improvements of Ellsworth Road from Queen Creek Road to Germann Road (Project #A0201) based on the bid opening results of April 15, 2008.

S. Consideration and possible approval of a professional services contract in the amount not to exceed \$24,426 to Professional Service Industries, Inc. (PSI) for materials testing on the Rittenhouse Road Phase 1A Project (Sossaman Road to existing Rittenhouse Road).

T. Consideration and possible approval of a professional services contract in the amount not to exceed \$61,000 with DHPace Systems Integration, Inc., for installing cabling infrastructure for security systems at the new Library.

U. Consideration and possible approval of a professional services contract in the amount not to exceed \$54,000 with CCS Presentation Systems for multimedia services at the new Library.

V. Consideration and possible approval of the expenditure of \$76,393 for the implementation and enforcement of the Town's dust control program.

W. Consideration and possible approval of the appointments of Dorian L. Bond; Anthony M. Edwards; Thomas W. McCarthy and Kyle B. Robinson to the Transportation Advisory Committee.

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X. Consideration and possible approval of **Resolution 728-08** authorizing the acquisition of real property in the amount of \$300,000 plus statutory interest to point of closing from QC Crossroads, LLC for the purpose of right-of-way on Rittenhouse Road (Parcel #304-66-002D).

Y. Consideration and possible approval of **Resolution 729-08** declaring as a public record the “Queen Creek Water Company Design & Construction Standards Manual (2007)” excluding sections 1.2 and 1.3 and appendices A,B,C,D,E, and F.

Z. Consideration and possible approval of **Ordinance 428-08** adopting by reference the “Queen Creek Water Company Design & Construction Standards Manual (2007)” excluding sections 1.2 and 1.3 and appendices A,B,C,D,E, and F.; providing for repeal of conflicting ordinances; providing for severability and providing penalties.

1. Consideration and possible approval of **Resolution 730-08** adopting the Training and Professional Development Policy for Town Council.

2. Consideration and possible acceptance of the Municipal Corporation Yard Master Plan prepared by Arrington Watkins Architects.

3. Consideration and possible approval of an Intergovernmental Agreement with the Arizona State Land Department (Forestry Division) for assistance with wildland fires.

4. Consideration and possible approval of a professional services contract in the amount not to exceed \$35,000 with Tel Tech Networks, Inc., for telecommunication cabling services at the new Library.

***5.** Public Hearing, discussion and possible action on **TA08-044/Ordinance 427-08** “Text Amendment for Sign Regulations” a request by Town staff for a text amendment to the Town of Queen Creek Zoning Ordinance, Article 6 Supplemental Use Regulations, Section 16 Sign Regulations.

Items M, P, V, W, 1 & 2 were pulled.

Motion to approve remainder of Consent Calendar (Barney/Valenzuela/Unanimous)

Item M: Council requested that staff provide a list of resources to property owners who are cited for graffiti.

Motion to approve Item M (Coletto-Cohen/Wootten/Unanimous)

Item P: Motion to approve (Valenzuela/Mortensen/5-2 (Coletto-Cohen & Wootten) Motion Passed.

Item V: Council wanted additional information on dust control for vacant property and livestock properties. Public Works Director Don Noble stated that the dust ordinance outlines the notification process and fines. Council asked how livestock owners would keep the livestock from generating dust. Mr. Noble replied that there were dust palliatives suitable for use with

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animals. Town Manager John Kross added that the state mandates are so new that the Town is working on best practices and options for the Town but is still required to adopt these measures. There was further discussion on the public outreach opportunities; loss of federal funding for non-compliance; and health issues caused by excessive dust. Additional statements were discussed in regard to the state putting responsibility of unfunded state mandates on the Town to enforce. Council asked why a full-time coordinator was necessary. Mr. Noble reviewed the work program proposed for the coordinator.

Mr. Kross recommended the Council adopt the proposed dust control program. He said the enforcement on residential properties will be consistent with the existing programs (complaint driven) and that education and public outreach will be beneficial to new construction activities.

Motion to approve Item V (Valenzuela/Barney/Roll Call Vote: Coletto-Cohen – nay
Hildebrandt – aye
Mortensen – nay
Valenzuela - aye
Wootten - nay
Barney – aye
Sanders – aye

Motion passed.

Item W: Council asked what the total membership of the Transportation Advisory Committee was and how many non-residents were being appointed. Staff responded that with the proposed appointments, the membership would be nine (9) with two (2) non-residents. There was concern stated with non-residents possibly recommending appropriation of funds.

Motion to approve Item W (Valenzuela/Wootten/6-1 (Coletto-Cohen) **Motion Passed.**

Item 1: Motion to continue to May 7, 2008 (Coletto-Cohen/Barney/Unanimous)

Item 2: Motion to continue to May 7, 2008 (Coletto-Cohen/Valenzuela/Unanimous)

PUBLIC HEARINGS AND FINAL ACTION: If you wish to speak to the Council on an item listed as a Public Hearing or 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. Presentation on the Mesa and Phoenix-Mesa Gateway Airport studies.

Planning Manager Wayne Balmer gave a presentation on the Phoenix-Mesa Gateway Strategic Plan; Airport Master Plan and Airport Expansion Study (presentation attached). Council asked what airport would be comparable to Phoenix-Mesa Gateway at build-out. Mr. Balmer suggested Tucson International Airport. Council discussion was in regard to the following:

- 10 gate terminal being temporary until the new terminal was built on the east side of airport (Ellsworth Road)
- Affect of new terminal on Ellsworth Road (traffic). Mr. Balmer discussed the proposed alignment of Ellsworth Road and access points

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- Employees traveling north to employment areas and restricted/limited access because of the railroad. Discussion was in regard to Queen Creek's lack of arterial roads because of the railroad and traffic bottlenecks as a result

Council said that continued cooperation between Mesa, Queen Creek and developers is vital and that there should be some reciprocity from Mesa for Queen Creek's efforts in protecting the east runway with employment areas.

10. Discussion and possible direction on a proposed publicity plan for solid waste services.

Information and Marketing Director Dee Anne Thomas presented a three phase publicity plan with associated costs to gather community feedback on solid waste services. Ms. Thomas reviewed two options for surveys (scientific or comment cards provided community wide. There was discussion on the possibility of getting information without using professional services and the timeline if an informal approach were used. Ms. Thomas suggested allowing a month of receiving weekly feedback. Ms. Thomas recommended a combination of standard outreach tools used by the Town; HOA's and Chamber meetings.

Council said that a scientific survey wasn't necessary and suggested the same approach be used as for the General Plan Update. Additional discussion was in regard to the contents of any editorials or letters. Ms. Thomas stated that written content would be fact based. Council suggested combining the HOA outreach with the June 7 Town Hall event.

Council discussed the different solid waste service needs for small lots and large properties with animals and the importance of getting feedback from a large cross-section of property owners. Town Manager Kross added that small focus groups within neighborhoods were effective. Targeted mailings were also suggested.

Council recommended an informal process combining targeted mailings, surveys, and HOA feedback.

11. Discussion and possible action on a request by Banner Health to annex 79.67 acres at the southwest corner of Combs and Gantzel Roads to be developed as Banner Ironwood Medical Center.

Town Manager John Kross provided background information and history of the Banner Health project (rezoning and building plan approval) as well as the adjacent Frys Shopping Center and Vestar property to the north. He discussed general benefits to the Town if the Banner Health facility was annexed into the Town, including the possibility of the Vestar property annexing sooner. Mr. Kross explained the annexation process that would require all three properties to annex. Council asked if there was a preliminary cost analysis. Mr. Kross asked for direction on whether to continue discussions with Banner regarding annexation. Additional discussion was in regard to annexation timelines and pre-annexation development agreements.

Craig Jensen, representing Banner Health, said the annexation problem wasn't a problem and that Banner would be breaking ground on the first phase in two weeks. He added that Banner wasn't pushing for annexation.

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Council asked if the Town would be required to provide any infrastructure. Mr. Kross replied that Combs Road improvements would have to be done and that development of Riggs & Meridian may be encouraged.

Motion to continue discussions with Banner Health regarding annexation (Mortensen/Valenzuela/Unanimous)

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

12. 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.

13. Adjournment

Motion to adjourn the Regular Session at 8:55pm (Valenzuela/Mortensen/Unanimous)

TOWN OF QUEEN CREEK

Gail Barney, Vice Mayor

Attest:

Jennifer F. Robinson, CMC

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 April 16, 2008 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, CMC

Passed and approved on May 7, 2008.