



Minutes
Regular Session
Queen Creek Town Council
Queen Creek Town Hall, 22350 S. Ellsworth Road
Council Chambers
September 17, 2008
7:00 p.m.

1. Call to Order

The meeting was called to order at 7:14pm.

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

Council Members present: Barnes; Brown; Hildebrandt; Mortensen; Wootten; Vice Mayor Barney and Mayor Sanders.

3. Pledge of Allegiance: Led by members of the American Legion Riders

4. Invocation: Pastor Kevin McGinnis, Mosaic Church

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

A. Recognition of the Operation Wounded Warrior APRA Award: Dick Mershdorf thanked the Queen Creek Senior Program for participating the last several years in the Operation Wounded Warrior project which delivers blankets and other supplies to military hospitals. Council Member Barnes also presented the members of the American Legion Riders with lapel pins to wear while delivering the supplies to San Diego.

B. Recognition of the APRA Young Professional of the Year Award – Anthony Baumann: Council Member Barnes presented the award to Anthony Baumann.

C. Five-year Service Award: Kim Clark, Sr. Financial Services Analyst was presented her five-year award by Assistant Town Manager Patrick Flynn.

6. Committee Reports

A. Arts, Culture and Experience Sub-Committee – August 27, 2008: The Committee met with the Queen Creek Chamber of Commerce to discuss community events and the Farms Market. The next meeting is scheduled for October 22, 2008.

B. Queen Creek Youth Commission – September 3, 2008: Sandra Ruiz reported the members discussed t-shirt graphics for the 2008-09 Youth Commission t-shirts; focus group surveys; teen program and QC Kids Day participation.

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- C. Transportation Advisory Committee – September 4, 2008: Robin Benning, Committee Chair, reported that members received updates on CIP projects, Victoria Subdivision and traffic signals; road maintenance work plan and offsite improvements and developments. The next meeting is scheduled for October 2, 2008.

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.

Bob Hildebrandt, Queen Creek, provided Council with median information from other cities and asked the Council to read the materials.

Karen Stoesz, Scottsdale, talked about raised medians and safety issues, costs and litigation. She provided information on surveys about medians from other cities.

Russ Carlson, Gilbert, owner of Russ’ True Value, read a letter regarding access points at a shopping center located at Combs and Vineyard Roads.

Silvia Centoz, spoke about Pegasus Airpark and the original application approved by Maricopa County; jet fuel usage and opposition to jets and helicopters in the original application.

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 August 27, 2008 Special 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 a purchasing contract in the amount not to exceed \$94,446.28 with WW Rodeo & Livestock Systems for portable panels, gates and chutes at Horseshoe Park and Equestrian Centre.
- E. Consideration and possible approval of a contract in the amount not to exceed \$61,500 with Woodruff Construction for design and construction of Judges Stands for Horseshoe Park and Equestrian Centre.
- F. Consideration and possible approval **Resolution 759-08** canvassing, declaring and adopting the results of the General Plan 2008 Special Election held on September 2, 2008 and ordering the recording.

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G. Consideration and possible approval of an Intergovernmental Agreement (IGA) amendment with the Town of Gilbert for Municipal Court Services and extending the term for an additional five-years.

H. Consideration and possible approval of the final acceptance of public improvements at Nauvoo Station Phase 1 and 3 only and begin the one-year warranty period.

I. Consideration and possible approval of an agreement with Vestar in the amount of \$304,422 to for the installation of offsite SRP infrastructure.

J. Consideration and possible approval of an Intergovernmental Agreement (IGA) with the City of Chandler that will allow the Queen Creek Fire Department to use the Chandler Regional Fire Training Facility.

K. Consideration and possible approval of changes to the Town's Holiday Festivities including location; decorations; and name as proposed by the Holiday Festivities Sub-Committee.

L. Consideration and possible approval of a design contract with SRP in the amount to exceed \$14,868 for work related to electrical service at the Interim Municipal Corporation Yard.

M. Consideration and possible approval of **Ordinance 440-08** – Annexation 08-042 a request by Vestar for annexation of 84.75 acres located at the northwest corner of Ironwood and Combs Roads.

*N. Public Hearing and possible approval of **RZ07-149/SD07-150 – Ordinance 439-08** Silver Queen Estates a request by Ralph Pew of Pew and Lake LLC, for rezoning from R-4 and R1-43 to Planned Area Development (PAD) with underlying R1-18 zoning and approval of a landscape plan and preliminary plat consisting of 59 lots. The project is located in the vicinity of the southwest corner of Hawes and Chandler Heights Roads.

*O. Public Hearing on Annexation 08-028 a request by Michelle Dahlke of Arizona Planning Solutions for annexation of 0.9 acres of land owned by San Tan Irrigation District located at the southwest corner of Power and Cloud Roads.

*P. Public Hearing and possible approval of **TA07-094 – Ordinance 437-08** "Pawn Shops and Payday Loan Businesses" a proposal by the Town for consideration of an amendment to the Zoning Ordinance establishing standards for the location of Pawn Shops and Non-Chartered Financial Institutions (Pay Day Loan Businesses).

Q. Consideration and possible approval of a Memorandum of Understanding with Arizona Department of Transportation to receive \$10,000,000 loan for transportation improvements for Ellsworth Road.

Items N, P & Q were pulled.

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

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Item N: The applicant requested a continuance to the October 1, 2008 meeting.

Motion to continue RZ07-149/SD07-150 – Ordinance 439-08 Silver Queen Estates to the October 1, 2008 Council meeting (Barney/Mortensen/Unanimous)

Item P: Additional information in regard to the distance between payday loan establishments and schools/neighborhoods was requested. Council Member Brown said he was pleased with the 1200 ft. distance requirement between businesses but had some concern with the proposed 500 ft. distance requirement between a payday loan business and schools. Planner Dave Williams explained that there are several different separation distances among jurisdictions and that the Planning and Zoning Commission had recommended the 500 ft. distance, being consistent with the sexually oriented business distance requirements. Mr. Williams said that the distance could be increased. Council asked if the 1200 ft. distance was consistent with other jurisdictions and if there was any requirements for separation between payday loan businesses and residential areas. Mr. Williams said there was consistency but he had not researched distance requirements for residential areas. There was further discussion on a consistent 1200 ft. separation distance for safety issues. Town Attorney Bisman stated that any distance requirement changes would have to go through the public hearing and Planning and Zoning Commission process before being considered. She said the ordinance could be adopted and then amended at a future date. Staff added that the distance requirements could be included in the Zoning Ordinance re-write.

Motion to approve Ordinance 437-08 as recommended by the Planning and Zoning Commission (Brown/Barnes/Unanimous)

Item Q: Staff requested a continuance to the October 1, 2008 meeting.

Motion to continue the Memorandum of Understanding to the October 1, 2008 Council meeting (Mortensen/Barney/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. Discussion and possible action on directing the Transportation Advisory Committee (TAC) to review and analyze future access management policies for the Town Center, establishing criteria for analysis and a deadline for a recommendation to be submitted to the Council by the end of January 2009.

Traffic Engineer Michael Pacelli explained there is currently not an access management policy and that access points are reviewed and approved as part of a road improvement project. Mr. Pacelli reviewed the staff's recommendation for the Transportation Advisory Committee to prepare recommendations for the Council to consider.

Council discussed the importance of the involvement of the Transportation Advisory Committee, public involvement and public outreach during the assignment.

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Motion to direct the Transportation Advisory Committee (TAC) to review and analyze future access management policies for the Town Center, establishing criteria for analysis and a deadline for a recommendation to be submitted to the Council by the end of January 2009 (Mortensen/Brown/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.

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 8:00pm (Mortensen/Brown/Unanimous)

TOWN OF QUEEN CREEK

Arthur M. Sanders, 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 September 17, 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 October 15, 2008.