



Minutes
Regular Session
Queen Creek Town Council
Queen Creek Town Hall, 22350 S. Ellsworth Road
Council Chambers
November 19, 2008
7:00 p.m.

1. Call to Order

The meeting was called to order at 7:09pm.

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:

Mayor Sanders.

4. Invocation:

Vice Mayor Barney.

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

Mayor Sanders read the following proclamations:

- A. Proclamation – GIS Day
- B. Proclamation – Arizona Hunger and Homelessness Awareness Week

6. Committee Reports

A. Transportation Advisory Committee – November 6, 2008: Committee members discussed an Access Management Work Plan. The next meeting is scheduled for December 4, 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.

None.

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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 15, 2008 Work Study and Regular Session Minutes.

B. Consideration and possible approval of the November 5, 2008 Work Study and Regular Session Minutes.

C. Consideration and possible approval of **Resolution 761-08** creating a public utility easement on a portion of the Queen Creek Sports Complex.

D. Consideration and possible approval of a work order in the amount not to exceed \$36,260 to G&G Construction Company for various roadway wash crossing reconstructions and miscellaneous concrete sidewalk repairs.

E. Consideration and possible approval of the appointment of Huey-Lin Kao and Gerald Walker to the SRP Task Force.

F. Consideration and possible approval of a professional services contract in an amount not to exceed \$85,000 with NEC Unified Solutions for telephone services.

*G. 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. (Continued from the October 1, 2008 Council Meeting)

Item G was pulled.

Motion to approve the remainder of the Consent Calendar (A-F) as presented
(Barney/Wootten/Unanimous)

Item G: Staff reported that the applicant has requested a withdrawal.

Motion to accept request for withdrawal (Barney/Wootten/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.

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9. Discussion and possible approval of the final draft RFP for solid waste and recycling services for the Town of Queen Creek; direct staff to advertise the RFP for solid waste and recycling services; and authorize an expenditure not to exceed \$13,000 for consulting services with RW Beck.

Deputy Town Manager Shane Dille gave a brief overview of the time and cost savings realized from the process used to draft an RFP.

Management Assistant Ramona Simpson gave a presentation on the solid waste study that began in September 2007 and continued through October 2008. The study included public outreach and participation and the formation of a Solid Waste Task Force that reviewed information and made a recommendation to the Council. Ms. Simpson explained that City of Chandler's RFP was used as a template and refined to fit the needs of Queen Creek and incorporate the Council's recommendations.

Ms. Simpson then reviewed the four service options and additional options to address the needs of large lot owners. She said that the proposer can submit a proposal for one or all options. Ms. Simpson then discussed the options for large lot owners that include additional carts, additional pick-up day, bulk collection and local transfer station use. Ms. Simpson also discussed the types of materials that could be recycled and bulk waste vs. green waste. Additional timeline information for the RFP was reviewed that includes the pre-bid conference; proposal due dates; interviews and possible recommendation and award of contract in March 2009. Ms. Simpson stated that staff requests approval of the RFP and approval of a consultant contract not to exceed \$13,000 for assistance in the process.

Council discussed the use of front loaded containers. Ms. Simpson explained that front loaded containers are considered commercial and the RFP is for residential and Town facilities only. Council asked if a resident could contract with another company and opt out of the service provided by the Town. Ms. Simpson said that each household would receive a container(s) and be charged regardless of the use of service. She added that there would be a quarterly review of active accounts so that the Town would only be charged for actual services – the Town wouldn't pay vendor for non-existent accounts.

Council asked if there was a possibility of presenting the RFP results at a public meeting before approving a contract.

Motion to approve the final draft RFP for solid waste and recycling services including a contract with RW Beck in the amount not to exceed \$13,000 (Mortensen/Hildebrandt/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. Discussion on GP08-117 Major General Plan Amendment – a request by Rob Schemitsch for Victoria Lund Investment Group LLC to amend the Land Use Map designation for 33.5 acres (Victoria Parcels 5 and 9) at the northwest corner of Ocotillo and Ellsworth Loop Roads from Medium Density Residential (MDR/ 2-3 dwellings per acre) to Town Center (TC).

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Planner Fred Brittingham reviewed the major general plan amendment application that was originally submitted for 51 acres but reduced to 33.5 acres. The application includes the request for Town Center designation but no proposal for development was submitted and the narrative isn't in compliance with the Town Center goals or land use map. Mr. Brittingham said that Phoenix-Mesa Gateway airport had concerns with the additional residential on the original application and that letters of opposition from residents and commercial property owners had been received. He also said that this area was included in the Town Center update project. The Planning and Zoning Commission recommended approval.

Council discussed vision vs. development on a general plan amendment application and asked if a development plan could be required. Mr. Brittingham responded yes and explained that the General Plan is a policy document and provided additional information on the requirements for general plan amendments. Council requested that major amendments and development plans be discussed at a future meeting. Town Manager John Kross added that "mixed-use areas" can help meet development half-way. Council also asked for additional information on why the commercial property owners were opposed to the request. Mr. Brittingham said concerns included over saturation of commercial; current economic situation and non-participation in the improvement district. Mr. Brittingham said that when development plans are submitted, comments regarding the school would have to be re-evaluated.

11. Discussion on GP08-118 Major General Plan Amendment – a request by Ralph Pew on behalf of Taylor Morrison Homes to amend the General Plan Land Use Map for 130 acres (Victoria Parcels 10, 11 and 11A) at the northeast corner of Ocotillo and Hawes Roads from Medium Density Residential (MDR/2-3 dwellings per acre) to Medium High Density Residential-A (0-5 dwellings per acre).

Planner Fred Brittingham reviewed the major general plan amendment application for 130 acres of medium-high density (0-5 du/a). He said that there were concerns of the higher density and an age-targeted development can't be guaranteed in a general plan amendment. He explained that the intent of the medium-high density was for in-fill projects or a part of a master-planned community but not stand alone projects. Mr. Brittingham said the area would also be included in the Town Center update. The Planning and Zoning Commission recommended denial.

Vice Mayor Barney declared a conflict of interest and left the meeting at 8:03pm.

12. Discussion on GP09-119 Major General Plan Amendment – a request by Ralph Pew on behalf of Barney Farms to amend the General Plan Land Use Map designation for 257 acres at the northwest corner of Queen Creek and Meridian Roads from Employment Type B to Employment Type B (20 acres); Community Commercial (20 acres); Medium High Density Residential-A (0-5 dwellings per acre) (138 acres) and Medium High Density Residential-B (0-8 dwellings per acre) (79 acres).

Planner Fred Brittingham reviewed the major general plan amendment application that would remove 22% of the Employment Type B area and explained that the zoning ordinance update would provide for expanded allowed uses which would provide more flexibility in Employment Type B areas. Mr. Brittingham said that there was opposition to the application by major industrial operations to the north of the property. Mr. Brittingham discussed other concerns

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including a disconnected residential area that would be surrounded by other intense industrial uses. The Planning and Zoning Commission recommended denial.

Planning Manager Wayne Balmer provided additional information on the noise contours of the airport overflight areas in relation to the proposed amendment.

Council asked for information from the Economic Development Commission discussion on the application. Mr. Balmer replied that the importance of economic development and large marketable properties was discussed.

13. 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.

14. Adjournment

Motion to adjourn the Regular Session at 8:16pm (Mortensen/Wooten/Unanimous)

TOWN OF QUEEN CREEK

Arthur M. Sanders, 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 19, 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, MMC

Passed and approved on December 17, 2008.