



Minutes
Regular Session
Queen Creek Town Council
Queen Creek Town Hall, 22350 S. Ellsworth Road
Council Chambers
February 4, 2009
7:00 p.m.

1. Call to Order

The meeting was called to order at 7:02pm.

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

Council Members present: Barnes; Brown; Hildebrandt; Wootten; Vice Mayor Barney and Mayor Sanders. Council Member Mortensen was attending the AMCA Conference.

3. Pledge of Allegiance: Pack #738 Rattlesnake Den

4. Invocation: Trevor Millett, Boy Scout Troop #829

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

A. Presentation by Pack #738 Rattlesnake Den to the Queen Creek Fire Department in appreciation for a tour of Fire Station #1.

Members of Pack #738 presented posters to Fire Chief Van Summers and Andy Marlor in appreciation of the tour given to the Pack.

6. Committee Reports

A. Transportation Advisory Committee – January 22, 2009: Robin Benning, Chair, reported on the discussion regarding the Access Management Work Plan. He said it should be presented to the Council at the second meeting in February. The next meeting is February 5, 2009.

B. Economic Development Commission – January 28, 2009: John Schroeder, Chair, reported on the presentations on the Farmer's Market survey results and economic benefits of solar and renewable energy. A summary of current events was also provided by the Economic Development Director and Commission members including the announcement of the opening of Engel Hall at the CGCC Williams Campus on February 23. The next meeting is March 25, 2009.

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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.

A. Consideration and possible approval of the January 21, 2009 Work Study and Regular Session Minutes.

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

C. Consideration and possible approval of a lease agreement with Guadalupe Cazares for a one-year lease of premises located at 22249 S. Ellsworth Rd.

D. Consideration and possible approval of Construction Contract Change Orders to DCS Contracting, Inc. (Contract 2008-45) in the amount of \$310,677.95 for the Ellsworth Road (Loop Road to Cloud Road) Improvement Project.

E. Consideration and possible approval of the appointments of Jason Gad and Cynthia Buffington to the Town Center Committee.

F. Consideration and possible approval of a Construction Work Order to the Cactus Asphalt Job Order Contract (# 2008-65) in the amount of \$119,902.08 for the completion of the offsite paving and sidewalk improvements on Queen Creek Road west of Sossaman Road.

G. Consideration and possible approval of an annual facility license agreement for New Day Church in the amount of \$21,060.

H. Consideration and possible approval of an annual facility license agreement for New Life Nazarene in the amount of \$20,436.

I. Consideration and possible approval of **SP08-167** “Ocotillo Self Storage” a request by Jake Munns of Synectic Design, Inc., for site plan, landscape plan and building elevation plan approval for a self storage facility. The proposal consists of a 654 unit min-warehouse facility with an office and manager’s quarter on a site with existing I-1 zoning. The project is located on the south side of Ocotillo Road, approximately 300 feet east of Crismon Road.

*J. Public Hearing and possible approval of a Series 5 Government liquor license application submitted by Debra Gomez-Sanchez on behalf of the Town of Queen Creek for Horseshoe Park & Equestrian Centre Station located at 20464 E. Riggs Rd., Queen Creek.

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*K. Public Hearing and possible approval of a Series 6 Bar liquor license application submitted by Brett Aelred Dettler for Trophy's Steakhouse, 7215 S. Power Rd., Suite 108, Queen Creek (Power Marketplace II).

Motion to approve the Consent Calendar as presented (Barney/Wootten/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 a construction contract in the amount of \$219,950 to Spire Engineering, LLC, for the repairs and improvements to the Sonoqui Wash Crossing Erosion Mitigation Project at Sossaman and Power Roads.

Transportation Director Dick Schaner provided additional information on the proposal for the repairs to Sonoqui Wash crossings as a follow-up to the January 21, 2009 Council meeting discussion. Mr. Schaner said the original design provided no hard shoulder surface or cut-off walls to prevent erosion but the revised design for both the Sossaman and Power Road crossings include gabion walls (wire baskets filled with rocks) that are not rigid and will be able to shift with soils but stay intact. The shoulders will be paved and concrete cut-off walls will be used also.

Council asked how the crossings were designed originally. Mr. Schaner showed details on the first design which had the least impact on existing neighborhoods (avoiding removal of sidewalks and retaining walls) as well as financial obligations as this is a shared project with the Flood Control District. There was some discussion on the design of roadways. Mr. Schaner said at this time redesigning the roads isn't an option.

Motion to approve the construction contract in the amount of \$219,950 to Spire Engineering, LLC, for the repairs and improvements to the Sonoqui Wash Crossing Erosion Mitigation Project at Sossaman and Power Roads (Wootten/Barnes/Unanimous)

10. Discussion and possible approval of a Job Order Contract with G & G Construction to reconstruct a median on Ocotillo Road west of 205th Place based on their unit prices not to exceed \$50,000.

Transportation Director Schaner presented the Transportation Advisory Committee's recommendation to Council for the removal of "Median 4" on Ocotillo Road. He said that costs provided several months ago for removal of medians have been holding steady and reviewed the

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method that was used to remove the median in front of Russ' Hardware store (top of median was curb-cut and replaced with asphalt). Council asked where the funds would come from to pay for the median removal. Mr. Schaner said a transfer from the Rittenhouse/Germann project would be made.

Gordon Brown, Pinal County, stated his support for the removal of the medians in front of the residences and driveways.

Mr. Schaner clarified to the Council that the recommendation for the removal of the median was forwarded from the Transportation Advisory Committee and not staff.

There was discussion among Council about the best use of existing funds. Council Member Brown, also a member of the Transportation Advisory Committee, said that the TAC recommendation doesn't include a fiscal analysis and that there may be other projects of higher priority at this time. He also said that safety on Ocotillo Road was still a concern. There was also some discussion on waiting to see the effect of the undergrounding of power lines by SRP and final road widening and a possibility of postponing the removal of the median.

Jill Charette, Queen Creek, said she was disappointed in the process and would like the median removed. She said the medians weren't designed for property access and fiscal consideration isn't enough for poor planning.

Robin Benning, Queen Creek, Chair of the Transportation Advisory Committee, asked that the Council carefully consider the TAC recommendation based on public input. He said that he understands the economic situation but there is a perception by residents that the medians were approved in a rush and that it's now unfair that taxpayers have to pay to remove them. He also said it would be unfair to not accept the TAC recommendation.

Anne Reed, Pinal County, submitted written comments in favor of removal of median.

There was additional Council discussion on the costs to remove the median. Council also asked for information on the Rittenhouse/Germann project where the funds would be transferred from. Mr. Schaner explained that the project included signaling the intersection but with the realignment of Rittenhouse and signalization of realigned Rittenhouse and Sossaman Roads, this is not needed. Town Manager John Kross added that the funds represent project savings that are typically programmed into next year's Capital Improvement Program but projections aren't known yet. Mr. Schaner also said that there is no new money identified for new projects and other projects may be carried forward. Council asked whether any transportation projects had been cut. Mr. Schaner said quite a few were shelved with the previous budget cuts.

Mayor Sanders stated that he appreciated the committee member's work and recommendations but that other Town wide needs have to be considered also. There was discussion on what other projects \$50,000 could pay for. Council asked staff how long it would take to look at other priorities. Mr. Kross said the budget process is beginning and would take a few months. There was a suggestion to consider a turn lane at the east end of the median. Procedures for including this issue in the CIP were discussed.

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Council asked for clarification from Town Attorney Bisman on whether the Council could approve the removal of the median in concept but also continue the issue in order to have it considered for the CIP. Ms. Bisman replied that the agenda language didn't provide for that option.

Motion to approve a Job Order Contract with G & G Construction to reconstruct a median on Ocotillo Road west of 205th Place based on their unit prices not to exceed \$50,000 (Barney/Hildebrandt)

**Vote: 3 – aye (Barney, Hildebrandt, Wootten)
3 – nay (Barnes, Brown, Sanders)**

Motion Failed.

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

None.

11. Adjournment

Motion to adjourn at 7:50pm (Brown/Barnes/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 February 4, 2009 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 February 18, 2009.