



Minutes
Regular Session
Queen Creek Town Council
Queen Creek Town Hall, 22350 S. Ellsworth Road
Council Chambers
March 18, 2009
7:00 p.m.

1. Call to Order

The meeting was called to order at 7:04pm.

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

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

3. Pledge of Allegiance: Boy Scout Troop #433.

4. Invocation: Steele McBride – Boy Scout Troop #837.

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

A. Five-Year Service Award – Dave Williams, a planner in the Community Development Department was presented his five-year award by Tom Condit, Director and Wayne Balmer, Planning Manager.

B. Volunteer of the Year Awards – the following were recognized as Volunteer of the Year nominee:

Adult: Tom Bidlack, Nick Catanese, Kimerbly Goldberg, Ed Guerra, Pearl Haskin, Joe Kolnick, Brandi Mendoza, Linda Moore, Gail Pease, Andrea Reyes, Dave Salge, Craig Seymore and Helen Weeks. Kent Gapen was awarded the Volunteer of the Year Award for working with the youth in sports activities.

Youth: Paul Lasota was awarded the Volunteer of the Year Award for his participation in activities through church, crisis pregnancy center and Boys Club.

Organization: San Tan Historical Society, WyldWind Productions with C.A. Seymore Builders receiving the Volunteer of the Year Award for helping at the Pancake Breakfast and open house of Fire Station #2.

6. Committee Reports

Minutes for the Regular Session
Queen Creek Town Council
March 18, 2009
Page 2

A. Finance Review Task Force – March 9, 2009: Management Assistant Tracy Corman reported that the Task Force members were presented with overviews of the current debt, debt capacity and potential debt options; projected Transportation revenue in the five-year CIP and operations & maintenance costs for the Transportation Program. Other presentations were on the current revenue structure and policy for the Parks & Recreation programs and operation & maintenance costs for the Parks Master Plan. The next meeting is scheduled for April 13, 2009.

B. Transportation Advisory Committee – March 5, 2009: TAC Chair Robin Benning reported that a presentation of the CIP Drainage & Transportation program and 2009 TAC Work Plan were discussed. The next meeting is scheduled for April 2, 2009.

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 February 18, 2009 Work Study and Regular Session Minutes.

B. Consideration and possible approval of the March 4, 2009 Work Study and Regular Session Minutes.

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

D. Consideration and possible approval of appointing Council Member Craig Barnes as the primary Town representative to serve on the Maricopa County Community Development Action Committee (CDAC) and Council Member Joyce Hildebrandt as an alternate representative.

E. Consideration and possible approval of **Resolution 773-09** amending the Standard Form By-laws for Town Committees, Boards, and/or Commissions as applicable.

F. Consideration and possible approval of a Cooperative Purchasing Agreement in the amount of \$168,000 with G&G Construction for placing stabilized asphalt millings along selected arterial shoulders for PM-10 dust control.

G. Consideration and possible approval of the Budget Committee’s recommendation to provide additional funding to the Queen Creek Chamber of Commerce in the amount of \$7,200 for the remainder of FY08-09.

**Minutes for the Regular Session
Queen Creek Town Council
March 18, 2009
Page 3**

H. Consideration and possible approval of a contract amendment in the amount of \$5,200 to Sunrise Engineering (Contract 2008-81) for additional design modifications to the S. Ellsworth Sewer (Cloud Road to Hunt Hwy) Project.

I. Consideration and possible approval of a change order in the amount of \$14,117 to AJP Electric JOC#2006-70 for additional work performed on the Rittenhouse & Village Loop North Traffic Signal Project I0045.

J. Consideration and possible approval of a landscape contract with Phoenix Solutions in the amount not to exceed \$68,000 for irrigation and landscaping of the Sonoqui Wash and waiving the requirements of the procurement policy to expedite the planting of trees during optimal planting season.

*K. Public Hearing on Annexation 08-186 a request by Jake Munns of Synectic Design Inc., for annexation of a 22 ft. x 395 ft. section of land located on the south side of Ocotillo Road, approximately 300 feet east of Crismon Road.

*L. Public Hearing on Annexation 09-013 a request by Rob McGee of V3 Engineering for annexation of seven parcels totaling 2.4 acres of land at the southeast corner of Ocotillo and Crismon Roads.

Items E and G were pulled for discussion.

**Motion to approve remainder of Consent Calendar as presented
(Barney/Mortensen/Unanimous)**

Item E: Council discussed concerns with non-residents serving on committee with voting rights and purposes of establishing a quorum but welcoming participation. Concerns included allowing voting rights of non-residents on issues of determining how Town tax dollars are spent in instances when the non-resident appointments may make up 40% of the quorum if other members are absent. Clarification on the Economic Development Commission was requested. Town Manager John Kross explained that the standard form by-laws don't apply to the EDC.

Council discussed options of committee membership such as appointed non-residents not subject to quorum requirements and having a partial vote. It was discussed also that committees offer recommendations to the Council who has approval authority.

Deputy Town Manager Shane Dille pointed out a typographical error within the Section 6(a) of the By-laws where "may" should be "shall".

Motion to approve Resolution 775-09 with the correction of Section 6(a) changing "may" to "shall" and additional language that precludes non-residents being counted for quorum purposes and removing voting rights effective in 30 days (Brown/Barnes) Vote: 2 –aye

3 – nay

Motion Failed

**Minutes for the Regular Session
Queen Creek Town Council
March 18, 2009
Page 4**

**Motion to approve Resolution 775-09 as presented with the correction of Section 6(a) changing “may” to “shall” (Mortensen/Barney) Vote: 3 – aye
2 – nay
Motion Passed.**

Item G: Economic Development Director Doreen Cott provided some background information on the Chamber’s request to the Budget Committee and Council for additional funding and the Budget Committee’s recommendation for additional funding for the remainder of FY08-09.

**Minutes for the Regular Session
Queen Creek Town Council
March 18, 2009
Page 4**

Council asked how the additional funding would promote membership.

Rustyn Shearer, President of the Chamber, said the intended use isn’t specified but any use must be approved by the Chamber Board. He said uses could include membership drives, marketing drives, website improvements that included video streaming & podcasts; or printing, research and additional signage for the new Chamber office.

Council requested firmer goals from the Chamber for FY09-10 with the expectation to promote business and commerce within Queen Creek.

Motion to approve Item G as presented (Mortensen/Barney/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.

Planner Fred Brittingham stated that withdrawals for the General Plan Amendments 08-117, 08-118 and 08-119 had been received from the applicants but the Public Hearings needed to be opened and withdrawals accepted.

9. Public Hearing, discussion and possible action on a request to withdraw Major General Plan Amendment GP 08-117.

The Public Hearing was opened.

Robin Benning, Queen Creek, said he supported the withdrawal of the General Plan Amendments and commented on the General Plan Update process.

The Public Hearing was closed.

Motion to accept the withdrawal of GP 08-117 (Brown/Barney/Unanimous)

**Minutes for the Regular Session
Queen Creek Town Council
March 18, 2009
Page 5**

10. Public Hearing, discussion and possible action on a request to withdraw Major General Plan Amendment GP 08-118.

The Public Hearing was opened. No one came forth and the Public Hearing was closed.

Motion to accept the withdrawal of GP 08-118 (Brown/Barney/Unanimous)

11. Public Hearing, discussion and possible action on a request to withdraw Major General Plan Amendment GP 08-119.

Vice Mayor Barney declared a conflict of interest and left the dais.

The Public Hearing was opened.

Jason Barney, Gilbert, stated he would re-file the application in June and this additional time would allow additional work with staff and the community to address remaining concerns.

The Public Hearing was closed.

Motion to accept the withdrawal of GP 08-119 (Brown/Mortensen/Unanimous)

Vice Mayor Barney returned to the dais.

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.

12. Discussion and possible approval of Resolution 775-09 supporting adoption of the Pinal County Comprehensive Plan.

Planning Manager Wayne Balmer gave a general overview of the plan and showed where “activity centers” were located. He said Pinal County had addressed the Town’s concerns and staff recommended approval.

Jerry Stabley, representing Pinal County, said he agreed with staff’s recommendations on adding an activity center near the Banner Hospital site.

Motion to approve Resolution 775-09 (Mortensen/Barney/Unanimous)

13. Discussion and possible action on an update on the non-profit coalition.

Chris Clark, Chair of the Non-Profit Coalition, said a non-profit coalition has been assembled over a 5-month period with 40 people expressing interest in participating. He said that a Chair and Executive Committee have been assembled; mission statement and by-laws have been drafted and website designed. He said the coalition has begun to identify grants available to help Queen Creek and the coalition meets about every two weeks. Council asked if contact was being

**Minutes for the Regular Session
Queen Creek Town Council
March 18, 2009
Page 6**

maintained with those who expressed interest. Mr. Clark said there were currently five people actively involved in the “business” of the coalition.

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.

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

Motion to adjourn to Executive Session at 8:10pm (Barney/Mortensen/Unanimous)

15. Adjournment

The Regular Session was adjourned at 8:37pm.

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 March 18, 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 April 1, 2009.