



Minutes
Regular Session
Queen Creek Town Council
Queen Creek Town Hall, 22350 S. Ellsworth Road
Council Chambers
July 15, 2009
7:00 p.m.

1. Call to Order

The meeting was called to order at 7:05pm.

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

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

3. Pledge of Allegiance: Taylor Rudd, Scout Troop 912

4. Invocation: Connor Cook, Scout Troop 912

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

A. Neighborhoods in Bloom – Beautification Awards: Continued to a future meeting.

B. 10-year service award: Toni Miranda, Parks & Recreation was presented her 10-year service award by Debbie Gomez, Director of Parks & Recreation.

6. Committee Reports

A. Development Fee Working Group – June 24, 2009: Council Member Barney reported on the presentations and discussion given to the committee on fees previously collected by the privately owned Queen Creek Water Company and why water development fees are important for funding capital projects. Dan Jackson of Economists.com also gave a presentation on calculating development fees.

B. Transportation Advisory Committee – July 9, 2009: The meeting was cancelled.

C. Town Center Committee – June 23, 2009: Cynthia Buffington, Committee Chair, reported on the Committee discussions on multi-modal circulation; expanding the Town Center boundaries and a conceptual land use map and Town Center map. The next meeting is scheduled for July 28, 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 June 3, 2009 Work Study and Regular Session Minutes.

B. Consideration and possible approval of the June 17, 2009 Work Study and Regular Session and Special Session Minutes.

C. Consideration and possible approval of June 30, 2009 Special Session Minutes.

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

E. Consideration and possible approval of a Cooperative Purchase Agreement with DataProse, Inc., for the outsourcing of the Town’s water bill and notice mailing as an administrative cost saving measure in the Utilities Department.

F. Consideration and possible approval of the contract renewal for medical insurance with Cigna Healthcare.

G. Consideration and possible approval of the contract renewal for dental insurance with Assurant Dental.

H. Consideration and possible approval of the Final Plat for the Power & Riggs Center located in a portion of the southwest quarter of Section 30 at the northeast corner of Power and Riggs Roads, a request by Michael Bruno, Bruno Partners and Investments.

I. Consideration and possible approval to begin the statutory 60-day public agency comment period for Major General Plan Amendments.

J. Consideration and possible approval of a lease agreement with Rameek Brown for a five-month renewable lease of premises located at 22249 S. Ellsworth Road.

K. Consideration and possible approval of a final construction contract change order to DCS Contracting, Inc., in an amount of \$3,919.15 for the Ellsworth Road (Loop Road to Cloud Road) Improvement Project.

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L. Consideration and possible approval of an Intergovernmental Agreement with the City of Mesa studying coordination of transportation corridors in and between Queen Creek, Mesa and the Phoenix-Mesa Gateway Airport employment areas. (Mesa Project No. 09-051-001)

M. Consideration and possible approval of **Resolution 782-09** modifying assessments and the assessment diagrams for ID001 Ellsworth Road/Rittenhouse Road Improvement District for Vestar.

N. Consideration and possible approval of **Resolution 793-09** adopting the Utility Services Department of the Town of Queen Creek Identity Theft Prevention Program and Red Flag Rules Compliance Memorandum.

O. Consideration and possible approval of **Ordinance 456-09 – Annexation 09-033** “A Country Place Event Center” a request by Michelle Dahlke of Arizona Planning Solutions for annexation of a parcel of land approximately .85 acres in size located on the east side of Sossaman Road, approximately 500 feet south of Queen Creek Road.

P. Consideration and possible approval of **Ordinance 457-09** amending the Town Code, Chapter 8, Business Regulations, Article 8-1 Business License, Section 8-1-2 Application and Issuance and Section 8-1-10 Business License Fees.

Q. Consideration and possible approval the re-appointment of Jason Barney and Steve Sossaman to the Economic Development Commission.

R. Consideration and possible approval of the removal of Silvia Centoz and appointment of Richard Turman, Kevin Fosburgh, Ryan Nichols, David Brandhorst and Debbie Reyes to the Transportation Advisory Committee.

***S.** Public Hearing, consideration and possible approval of **RZ09-046/Ordinance 455-09** “Interstate Batteries” a request by Alan Biancardi of Interstate Batteries for modification to the Conditions of Approval for signs shown in Stipulations 6 and 7C of Ordinance 97-97. The proposal requests removal of the stipulations to allow for building mounted signage to be placed higher on the building wall than eight (8) feet. The project is located south of Ocotillo Road at Scotland Court.

Council requested Items E & O pulled for discussion.

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

Item E: Council Member Barnes suggested the savings from outsourcing billing could be returned to the ratepayers or applied to a grant for smart meters.

Motion to approve Item E as presented (Barnes/Barney/Unanimous)

Item O: Council requested additional information on the request for annexation. Planner Dave Williams reported that the property owner approached the Town and requested annexation and is

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proposing to apply for a minor general plan amendment and continue development of the property. Council asked why the owner wanted to annex. Mr. Williams replied the owner wanted fire service and other municipal services.

Motion to approve Item O as presented (Brown/Mortensen/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.

9. Public Hearing and possible approval of Ordinance 453-09 setting the primary property tax rate and levy for the Town for FY2009-10.

Assistant Town Manager Flynn reviewed the procedure for setting tax levies and the proposed property tax levy for FY2009-10. He said that the \$5.7 million generated is dedicated to public safety including MCSO and fire but the actual tax generated would depend on property assessment.

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

Motion to approve Ordinance 453-09 setting the primary property tax rate and levy for the Town for FY2009-10 (Mortensen/Barney/Unanimous)

10. Public Hearing and possible approval of Ordinance 454-09 setting the secondary property tax levy for Street Lighting Improvement Districts for FY2009-10.

Mr. Flynn stated the tax levy pays for the street light bills in each district (subdivision).

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

Motion to approve Ordinance 454-09 setting the secondary property tax levy for Street Lighting Improvement Districts for FY2009-10 (Wootten/Barney/Unanimous)

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.

11. Discussion and possible action to direct staff to publish the 60-day Notice of Intent to adopt a Water Infrastructure Improvement Plan.

Wendy Kaserman, Administrative Manager/Community Development, provided the background on preparing the Water Infrastructure Improvement Plan that will be needed to provide improvements for future growth. Ms. Kaserman also said that the plan is aligned with the Capital Improvement Plan.

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Dan Jackson, Economists.com, the Town's consultant, reviewed the proposed Water Infrastructure Improvement Plan that will provide revenue with a water development fee for new infrastructure. Mr. Jackson explained how the proposed fees were calculated based on meter size but doesn't differentiate between residential or commercial. The proposed fees are: 3/4" meter-\$3,193; 1" meter - \$5,322; 1.5" meter- \$10,644 and 2" meter-\$17,031. Mr. Jackson explained that State Statutes allow increases to development fees by a defined adjustment factor. He also said that the proposed fees compared favorably within the state. Mr. Jackson clarified that the proposed fees are the maximum fee and that Council could decide to implement a lower fee but current residents would need to subsidize.

Ms. Kaserman reviewed the statutory process for implementing development fees and the earliest date to be effective of January 24, 2010.

Council asked how many connections were expected in 2009. Staff responded they were unsure of the total, but one builder had just pulled 35 permits.

Motion to direct staff to publish the 60-day Notice of Intent to adopt a Water Infrastructure Plan (Brown/Barney/Unanimous)

12. Discussion and possible action to direct staff to publish the 60-day Notice of Intent to assess a Water Development Fee.

(Discussion under #11)

Motion to direct staff to publish the 60-day Notice of Intent to assess a Water Development Fee (Brown/Wootten/Unanimous)

The meeting was recessed at 7:50pm and reconvened at 8:05pm.

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

13. Discussion on a Family Rodeo event for Horseshoe Park and Equestrian Centre.

Council Member Wootten led a presentation of a family rodeo event that included activities for non-horse owners as well. Some of the activities highlighted were humorous, spectator oriented and fun and competitive that gave a small town feel. Some of the things to consider for such an event would include an event committee that would include smaller task oriented committees and consideration of the level of participation (community or region) desired.

Debra Gomez, Director of Parks & Recreation said that her staff would gather information on insurance requirements & costs, costs for different levels of events and possible non-profit organization participation and present it at a future meeting.

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14. Update on the Sonoqui Wash Phase 2 Improvement Project.

Troy White, CIP/Environmental Manager, gave a brief review and pros & cons of the Sonoqui Wash Phase 1 Improvement Project (Recker to Chandler Heights) before introducing Gary Wesch, of the Maricopa County Flood Control District.

Mr. Wesch stated his presentation on Phase 2 of the project would focus on the alignment of the project. He said Phase 2 is primarily in the Town and broken down into Phase 2A & 2B—Chandler Heights to Crismon. Mr. Wesch's presentation included the public meeting schedule and construction schedule of Phase 2A beginning in 2010. The project will remove 71 acres/68 properties from the floodplain in Queen Creek.

Discussion was in regard to road crossings and horse access and access to properties on the south side of Riggs Road with drives off Riggs Road. Mr. Wesch explained that the properties have private streets and the project will provide a road access to them on the south side of Riggs Road. Road crossings that provide wash access/entry was also discussed.

Council asked about the phasing. Mr. Wesch stated that Phase 1 & 2 have the Town as a partner and Phase 3 is entirely in the County.

15. Presentation on foreclosure rates and the Town's boundaries.

Dee Anne Thomas, Director of Marketing & Information, gave a report on the Town's incorporated boundaries and the impact of the new zip codes.

Dave Williams, Planner, gave a report on the Town's foreclosure rates.

Ms. Thomas reviewed the efforts being made by the Town to provide correct information on the zip code changes. Council asked if the Town was notifying businesses of the Town's efforts to appeal the zip code change for the incorporated boundary of Queen Creek. Town Manager John Kross said the issue was being heavily covered by the media and while the Town can't guarantee any results of the appeal, there is a one-year grace period to use the new zip code.

16. 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 9:10pm (Mortensen/Brown/Unanimous)

17. Adjournment

The meeting was adjourned.

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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 July 15, 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 August 5, 2009.