



Minutes
Regular Session
Queen Creek Town Council
Queen Creek Town Hall, 22350 S. Ellsworth Road
Council Chambers
October 7, 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; Barney; Brown; Wootten; Vice Mayor Mortensen and Mayor Sanders. Council Member Hildebrandt was absent.

3. Pledge of Allegiance: Led by Isaac Beets of Troop 861.

4. Invocation: Pastor Randy Lung, Journey Christian Fellowship

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

Mayor Sanders welcomed Pinal County Supervisor Bryan Martin.

A. Recognition of Horseshoe Park and Equestrian Centre – winner of the 2009 Arizona Parks and Recreation Association Excellence Award for Outstanding Facility for populations under 25,000.

Carol Gary and Karen Pagel of the Arizona Parks & Recreation Association presented the 2009 Arizona Parks and Recreation Association Excellence Award for Outstanding Facility for populations under 25,000 to the Town. A short video of the presentation at the awards ceremony was shown.

B. Proclamation – Fire Prevention Month: Mayor Sanders read the proclamation for Fire Prevention Month October 1-31, 2009.

6. Committee Reports

A. Council summary reports on meetings and/or conferences attended. This may include but is not limited to Phoenix-Mesa Gateway Airport; MAG; East Valley Partnership; CAAG. The Council will not propose, discuss, deliberate or take legal action on any matter in the summary unless the specific matter is properly noticed for legal action.

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Vice Mayor Mortensen reported his attendance at the RPTA (Transit Authority) meeting and that the City of Mesa had received funding for additional park & rides. A presentation was given on the State Transit System and it discovered that Queen Creek is not included in that plan.

Vice Mayor Mortensen also reported his attendance at the MAG meeting and discussion of the Town's two projects with ADOT funded by stimulus money.

Council Member Barney reported his attendance at the MAG Transportation Policy meeting and discussion on stimulus funding deadlines. Mr. Barney also attended the CAAG meeting.

Council Member Brown reported on his attendance at the Pinal County Transportation Advisory Committee and discussion on Pinal County census data scenarios and the possibility of creating a metropolitan transit authority. Mr. Brown also said that MAG, CAAG and PAG are working together with the Brookings Institute to plan the Sun Corridor.

A. SRP Task Force – September 21, 2009: Chair Pam Zamocoma reported that updates on the Abel-Moody hearings were provided and members discussed SRP signage to be posted along Town sited power line routes and reviewed their previous recommendation on undergrounding 60kv lines. The next meeting date has not been set.

B. Town Center Committee – September 22, 2009: Vice Mayor Mortensen reported that the committee had recommended approval of a revised Character Element for the Town Center Plan and recommended approval of decorative street lights for the Ellsworth Road project. The committee also recommended that Town Center traffic signals be painted to match existing pedestrian lights and decorative bases be added to all signals. Additional information on the recommendations will be presented to Council on October 21, 2009. The next meeting is scheduled for October 27, 2009.

C. Electronic Media Advisory Committee – September 29, 2009: Council Member Brown reported on the first meeting and the review of the Town's current use of social media including Facebook, Twitter and Flickr. The committee reviewed a draft policy for staff usage of social media. The Town's website was also discussed. The members elected Council Member Brown as Chair. The next meeting is scheduled for the 3rd week in January 2010.

D. Transportation Advisory Committee – October 1, 2009: Chair Robin Benning reported that the Committee discussed and made recommendations to the Council on the two major general plan amendments; received a CIP update and began discussing the residents concerns of cut-through traffic on South Village Loop Rd. The next meeting is scheduled for November 5, 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.

Robin Benning, Queen Creek, read a letter thanking the Mayor and Council for the process used of including the community, staff and Council in the removal of the medians on Ocotillo Road.

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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 August 19, 2009 Work Study & Regular Session Minutes.

B. Consideration and possible approval of the September 16, 2009 Work Study and Regular Session Minutes.

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

D. Consideration and possible approval of **Resolution 795-09** declaring as a public record the document titled “Chapter 16 Utilities” and “Town’s Enforcement Response Plan”.

E. Consideration and possible approval **Ordinance 458-09** amending Town Code Chapter 16 “Utilities” Articles 16-2 through 16-4 to provide for regulations governing sewer pretreatment (wastewater discharge) in the Town and imposing penalties for violations of the regulations.

F. Consideration and possible approval of **Ordinance 462-09** to withdraw from the Regional Transportation Authority Board in Maricopa County.

G. Consideration and possible approval of an Intergovernmental Agreement with Pinal County for the operation, maintenance, traffic control and permitting responsibilities for portions of Combs and Gantzel Roads.

H. Consideration and possible approval of easements granted to SRP for relocating electric lines on Empire Road west of Ellsworth Road for the Ellsworth Road/Empire Blvd. Intersection Improvement Project (Project A0204).

*I. Public Hearing and possible approval of **Ordinance 461-09 – TA09-074** “Update to Article 4, Zoning Districts” of the Town of Queen Creek Zoning Ordinance.

*J. Public Hearing and possible continuance of **TA09-075** “Update to Article 6.16 Sign Regulations” of the Town of Queen Creek Zoning Ordinance to increase business identification and exposure for local businesses. *(This item was continued at the September 9, 2009 Planning and Zoning Commission meeting)*

Item J was pulled.

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

Item J: Staff clarified that an indefinite continuance was requested.

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Motion to continue TA09-075 “Update to Article 6.16 Sign Regulations” indefinitely
(Mortensen/Barnes/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 on **Resolution 803-09** adopting the Five-Year Consolidated Plan for CDBG/HOME dollars and authorizing submission of the Plan to the U.S. Department of Housing and Urban Development.

Parks & Recreation Director Debbie Gomez gave an overview of the CDBG program; HOME Program and Five-Year Consolidated Plan. Ms. Gomez reviewed the Town’s proposed projects that include 10 housing re-hab projects & home buyers assistance through HOME grants; water, sewer and sidewalk improvements; internet connectivity; business façade improvements and non-profit multi-use centers through CDBG Funds. Ms. Gomez stated that non-profit groups can apply directly for CDBG funding if a project is included in the Five-Year Consolidated Plan.

Council asked if funding was guaranteed and whether any awarded funds could be banked. Ms Gomez replied no. Council also asked if annual adjustments could be made to the plan and Ms. Gomez explained that plans could be modified or updated annually.

Council asked for clarification on why the number of homes proposed for rehabilitation was reduced from 16 to 10. Council Member Barnes, the Town’s representative to CDBG, explained that there were no applications in the prior year and the funds could be used in other cities or towns.

Motion to approve Resolution 803-09 adopting the Five-Year Consolidated Plan for CDBG/HOME dollars and authorizing submission of the Plan to the U.S. Department of Housing and Urban Development (Brown/Barney/Unanimous)

10. Discussion and possible approval of **SD09-012** “Barney Park Estates Phasing Plan” a request by Mario Mangiamiele of Iplan Consulting, for a Phasing Plan and Fence Details for Barney Park Estates, a 113 lot residential subdivision on +/- 73 acres located at the southwest corner of Queen Creek Road and 220th Street.

Council Member Barney declared a conflict of interest and stepped down from the dais.

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Planner Mike McCauley gave a brief review of the project and proposed phasing plan and fencing detail plan. Council discussed the fence amendments, compliance with the fence standards and the enhanced features provided in the plan.

Motion to approve SD09-012“Barney Park Estates Phasing Plan” a request by Mario Mangiamele of Iplan Consulting, for a Phasing Plan and Fence Details for Barney Park Estates, a 113 lot residential subdivision on +/- 73 acres located at the southwest corner of Queen Creek Road and 220th Street (Mortensen/Brown/Unanimous)

Council Member Barney returned to the dais.

11. Presentation and discussion on the Curbside Solid Waste and Recycling Services ordinance, the proposed implementation timeline and the negotiated residential rates and possible action to receive enhanced public comment and to provide staff with further direction.

Deputy Town Manager Shane Dille introduced Scott Pasternak of R.W. Beck the Town’s consultant for the solid waste project. Mr. Pasternak gave a brief review of the landfill closure, solid waste study and recommendations from the Solid Waste Task Force; results from an informal survey and Council’s direction to proceed with issuing a Request for Proposals. As a result of the RFP, four proposals were received resulting in successful negotiations with RAD (Right Away Disposal).

Mr. Pasternak reviewed the services provided on a weekly, monthly and yearly basis at a rate of \$15.41. The contract also provides a reduced rate at the transfer station. Mr. Pasternak provided comparisons of current services and rates with private providers vs. the negotiated services and rates including manure collection. Mr. Pasternak discussed the enforcement and inspections requirements of ADEQ, Maricopa and Pinal County Counties.

Mr. Pasternak also presented benefits and disadvantages of a negotiated contract. Some of the benefits include cost guarantees and fewer trucks on residential roads resulting in reduced wear and tear. Some of the disadvantages include possible increase in monthly costs for some residents, Town responsibility for customer service; storage of two containers and the commitment to a seven year contract.

Mr. Pasternak said possible next steps would be to begin an enhanced public comment period and possible approval of the contract at the November 4, 2009 Council Meeting or not move forward with the program.

Marketing & Communications Division Manager Marnie Schubert presented the proposed communication plan details. Council suggested that a mailer be sent out to allow those without access to the web an opportunity to comment. Council also requested that the street or address needs to be identified on surveys or comments in order to verify Town residency. The possibility of postponing final action to a later Council Meeting, in order to send out an insert in the water bills was discussed.

Mr. Pasternak continued with the proposed timeline of implementation between November 2009 and June 2010.

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Council discussed the three-year price lock and rate adjustments in years 4-7 and whether future Council's could change rates. Town Attorney Fredda Bisman explained that the Town and Council would be bound by the contract terms for the seven year period. Town Manager John Kross added that rate increases were bound by the CPI.

There was also discussion on the costs to implement the solid waste service. Assistant Town Manager Patrick Flynn explained that the solid waste program would be an enterprise fund, whereby the revenues generated would cover expenses. He said the money to purchase the carts would come from the general fund and be repaid from the enterprise fund at 4% interest.

Discussion continued in regard to manure. Management Assistant Ramona Simpson explained that the biggest issue with manure is the weight and all four proposals were consistent in regard to manure disposal requirements.

Nicole Crooks, Queen Creek, asked what the low bid was, what the Town's mark-up was. She also asked other questions in regard to services provided by the hauler.

Cherie Richardson, Queen Creek, submitted written comments asking that the Council consider the current economy.

Terry Warren, submitted comments about being a part time resident.

Council asked how part-time residents would be billed. Ms. Simpson explained that the proposed solid waste ordinance would tie the solid waste account to the water account and a provision for temporary absence wasn't included but it could be included based on costs to pick up & deliver carts. Ms. Simpson also explained the process for picking up, sanitizing, delivering and accounting for the carts.

Motion to begin the enhanced public comment period including an insert in the next water bill and present the results, curbside solid waste and recycling ordinance and negotiated contract to the Council on November 18, 2009 (Brown/Mortensen/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.

None.

12. Adjournment

The meeting was adjourned at 9:15pm.

TOWN OF QUEEN CREEK

Arthur M. Sanders, Mayor

Attest:

Jennifer F. Robinson, MMC

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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 October 7, 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 October 21, 2009.