



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

1. Call to Order

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

3. Pledge of Allegiance:

4. Invocation: Pastor Randy Deal, Rock Point Church

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

A. Presentation of five-year service award – Marsha Hunt

B. Scout Recognition

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.

B. Transportation Advisory Committee – November 5, 2009

C. Parks and Recreation Advisory Committee – November 10, 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.

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 November 4, 2009 Work Study, Special Session & Regular Session Minutes.

**Agenda for the Regular Session
Queen Creek Town Council
November 18, 2009
Page 2**

B. Consideration and possible approval of the use of SRP Aesthetic Funds in the amount of \$213,900 for the undergrounding of the overhead electrical lines on Hawes Road at the Sonoqui Wash crossing.

C. Consideration and possible approval of a Change Order to the Loop Road Underpass Agreement with Union Pacific Railroad for ID001 and approval of the final payment in the amount of \$111, 386 for a total cost of \$1,935,195.

D. Consideration and possible approval of an Intergovernmental Agreement with the Maricopa County Flood Control District for the construction of the Sonoqui Wash from Chandler Heights to Crismon Roads.

E. Consideration and possible approval of a settlement agreement between the Town and Lexon Insurance Company providing for payment by Lexon to the Town in the total amount of \$171,030.26; completion of certain public infrastructure by Lexon; and for Lexon to provide related warranties and warranty assurances.

F. Consideration and possible approval to authorize the Town Attorney to file a lawsuit against ASV Family Limited Partnership to enforce the terms of a purchase agreement for property (right-of-way) bordered by Old Rittenhouse Road, Germann Road and 188th Street.

G. Consideration and possible approval of the appointment of Council Members Craig Barnes and Joyce Hildebrandt and Vice Mayor Gordon Mortensen to the Council Executive Committee.

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 action on the award of the Residential Waste Services, Town Facility Services, Neighborhood Recycling Drop-off Site Services, Special Events Services and Self-Haul Services Agreement with Right Away Disposal (RAD) for an initial term through June 30, 2017 with the option to renew for up to three (3) additional (1) one- year terms.

10. Discussion and possible action to approve **Resolution 811-09** declaring as a public record the certain document title “Town Code Chapter 10 Health and Sanitation, Article 10-8: Residential Waste Services; Solid Waste Services; Bulk Waste Services; Recycling Services and Animal Waste Services for Residential Dwellings”.

**Agenda for the Regular Session
Queen Creek Town Council
November 18, 2009
Page 3**

11. Discussion and possible action to approve **Ordinance 464-09** amending Town Code Chapter 10 “Health and Sanitation” by creating and adopting a new Article 10-8 Residential Waste Services; Solid Waste Services; Bulk Waste Services; Recycling Services and Animal Waste Services for Residential Dwellings and providing penalties.

12. Discussion and possible action to approve **Resolution 812-09** establishing the schedule of rates, charges, and fees for residential waste service authorized by the Town Code Chapter 10 Health and Sanitation, Article 10-8, Section 10-8-12.

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. Introduction and discussion on 2009 Major General Plan Amendment **GP09-57/RZ09-59** a request by Ralph Pew on behalf of Taylor Morrison Homes to amend the General Plan Land Use Map for 125± acres (Victoria Parcels 10 & 11) at the northeast corner of Ocotillo and Hawes Roads from Medium Density Residential (2-3 dwellings per acre) to Medium High Density Residential-A (3-5 dwellings per acre).

14. Introduction and discussion on 2009 Major General Plan Amendment **GP09-58/RZ09-60** 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 A (20 acres), Community Commercial (20 acres), Medium High Density Residential-A (3-5 dwellings per acre)(138 acres) and Medium High Density Residential-B (5-8 dwellings per acre) (79 acres).

15. Adjournment

I, Jennifer F. Robinson, do hereby certify that I caused to be posted this 12th day of November 2009, the Agenda for the Regular Session of the Queen Creek Town Council in the following places: 1) Queen Creek Town Hall; 2) Queen Creek Library; 3) Queen Creek Community Center bulletin board.

Jennifer F. Robinson, MMC

The Town of Queen Creek encourages the participation of disabled individuals in the services, activities, and programs provided by the Town. Individuals with disabilities who require reasonable accommodations in order to participate should contact the Town Clerk’s office at (480) 358-3000.