



Minutes
Regular Session
Queen Creek Town Council
Queen Creek Town Hall, 22350 S. Ellsworth Road
Council Chambers
April 7, 2010
7:00 p.m.

1. Call to Order

The meeting was called to order at 7:12 pm.

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

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

3. Pledge of Allegiance: Led by Dawson Daley – Troop 287

4. Invocation: Pastor Roy Comstock – Christian Mentor’s Network, Inc.

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

A. Proclamation – Fair Housing Month –April 2010: Mayor Sanders read the proclamation.

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.

Mayor Sanders reported on the MAG meeting discussion of the 2010 Census. He also reported on a meeting with Legislative representatives on behalf of the Town in regards to the \$10million transportation funding loan.

Vice Mayor Mortensen reported on the CAAG meeting and the groups work on revising their Economic Development Strategic Plan. He also attended the East Valley Partnership meeting and the groups’ endorsement of Proposition 100 and support of the Mesa Cub Stadium.

B. Town Center Committee – March 23, 2010 – Committee Chair Cynthia Buffington reported on the committee’s recommendation for updating the Redevelopment Program/Redevelopment Area Plan; update and discussion on the Planning and Zoning Commission and Economic Development Commission’s comments and recommendations for the Town Center Plan update and the Committee’s recommendation for approval of the Town Center Update. The next meeting is yet to be determined.

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C. Economic Development Commission – March 24, 2010: Vice Chair Rusty Sherer reported that the Commission recommended approval of the Town Center update with some changes to the mixed-use definition; and the Commission’s recommended approval of General Plan GP 09-58. The next meeting is April 28, 2010.

D. Disaster Management Committee – April 1, 2010: Public Safety Division Manager Joe LaFortune reported on the Committee’s first meeting where presentations were made on the current CERT program, response capabilities and resources. The Committee discussed disaster scenarios and development of a community disaster plan. Fire Chief Summers commended the committee members for volunteering to be on the committee and gave brief background information on the members. The next meeting is scheduled for April 28, 2010.

E. Transportation Advisory Committee – April 1, 2010: Committee Chair Ryan Nichols reported that the Committee received updates from staff on CIP projects and traffic projects. During the CIP update, committee members prioritized 10 projects that are currently programmed and budgeted for. The discussion and possible recommendation on Meridian and Signal Butte Road alignments was continued to a future meeting. The next meeting is scheduled for June 3, 2010.

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 March 17, 2010 Work Study and Regular Session Minutes.

B. Consideration and possible approval of a contract with Stantec Consulting in the amount of \$88,000 for the design of a reclaimed, reuse and recharge waterline (Project RW001).

*C. Public Hearing and possible approval of a Series 7 Beer & Wine Bar (Person Transfer and Interim Permit) liquor license application submitted by Lawrence Joseph Hoel Jr. for the Queen Creek Café and Sports Lounge, 22002 S. Ellsworth Rd., Queen Creek.

*D. Public Hearing and possible approval of a Series 6 Bar (Person Transfer and Interim Permit) liquor license application submitted by Nancy Elizabeth McDade for the New Norton’s Country Corner, 20835 E. Ocotillo Rd., Queen Creek.

Item D was pulled for discussion.

Motion to approve the remainder of the Consent Calendar as presented (Brown/Wootten/Unanimous)

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Item D: Council requested clarification on the distance required between a church and bar. Town Attorney Bisman replied the required distance is 500ft.

Motion to approve Item D (Mortensen/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.

9. Public Hearing and possible approval of **Resolution 834-10** accepting the Town Center Committee's recommended updates to the Town Center Plan.

Economic Development Director Doreen Cott gave an overview of the 1994 Town Center Plan and the current 2005 Town Center Plan. Ms. Cott reviewed the following Committee recommendations:

- Proposed mixed-use definition
- Meandering sidewalks (Arroyo design) for Old Ellsworth Road project
- Primary Tree: FanTex
- Accent Tree: Texas Mountain Laurel
- Polywood benches & trash cans
- Maintain/continue existing light fixture style
- Traffic signal components: enhanced features at five (5) core intersections

Ms. Cott presented updated Town Center maps showing current zoning designations, two combined mixed use categories and the recommended expanded Town Center boundaries.

Council asked what the costs would be for the improvements within the Town Center expansion. Ms. Cott explained that a unit cost was available but a total cost wouldn't be available until improvements were made. As an example, the base SRP streetlight is \$1,900 and the decorative streetlight is \$3,500 with the total cost based on design requirements of a project. Town Manager John Kross added that developers are provided with design standards and are they are also stipulated to the developer as part of the developments ½ street improvements. There was further discussion on the costs of improvements and the possibility of using the .25cent sales tax specific to Town Center improvements as well as whether developers would be able to phase in features. Ms. Cott said that developers have to abide by Town Center design guidelines at time of development; however, the Town can phase the retro-fitting of existing fixtures.

Discussion continued on the proposed boundary changes. Council asked why neighborhoods were included in the Town Center and if there were any benefits to home-based businesses and if the additional .25cent sales tax applied. Ms. Cott explained about mixed uses in a Town Center. Mr. Kross responded that the additional sales tax only applies to the Westcor & Vestar shopping centers. He also said a homeowner may convert an existing home from a residential use to business use.

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Mr. Kross also addressed Council's questions about expanding the Town Center boundaries south of the Queen Creek Wash to the intersection of Ellsworth Rd and east to Hawes Road by explaining the Town's ongoing efforts to show trail connectivity for grant applications.

Council stated concerns with the proposal to show the railroad tracks as open space since they are not a pedestrian friendly feature. Mr. Kross responded that the 1994 Town Center Plan included the railroad right-of-way.

The Council also discussed the addition of Queen Creek Station in the Town Center plan after the project was approved.

The Public Hearing was opened.

Chris Webb, Queen Creek, (Vice Chair of Town Center Committee) stated the Committee wanted to stay true to the original Town Center vision but the plan needed to be updated and modernized. Mr. Webb said that most of the Town Center recommendations were unanimous and asked the Council to validate the Committee's work.

Cynthia Buffington, Queen Creek, (Chair of Town Center Committee) said she was opposed to the proposed Town Center boundaries and read a letter submitted to Council. (Letter attached)

The Public Hearing was closed.

Council discussed separating the boundary changes from the other recommended updates.

(1) Motion to approve the Town Center Committees recommended updates except for the boundary changes (Mortensen/Brown/Unanimous)

Council discussed the proposed boundary changes further.

(2) Motion to approve the Town Center boundary changes as recommended by the Town Center Committee (Mortensen/Hildebrandt)

Mr. Kross said that plans are not static and do and can evolve. He said the changes between the 1994 and 2005 Town Center plans were not huge but one major difference was that the 1995 included industrial uses within the Town Center. He went on to explain that boundaries can help define what type of development can occur and the Town Center was meant to be a walkable area surrounded by higher intensity commercial uses. Mr. Kross also said that full implementation of a Town Center plan can take 35-40 years.

VOTE: Barnes – no
Benning – no
Brown – no
Hildebrandt – aye
Wootten – no
Mortensen – aye
Sanders – aye

MOTION FAILED 4-3

Discussion continued on including neighborhoods in the Town Center Plan.

(3) Motion to exclude single family residential (Will Rogers and Villages) and all new boundaries except the southern triangle (Ellsworth Road/Queen Creek Wash/intersection) (Brown/Barnes)

There was concern discussed about removing existing residential from the current Town Center Plan and Mr. Kross recommended sending the Plan back to the Town Center Committee to further evaluate the boundaries.

(4) Motion to send the Town Center Plan relative to the boundaries back to the Town Center Committee (Mortensen/Sanders)

(5) Council Member Brown withdrew his motion to exclude residential (3)

(6) Motion to approve the existing (2005)Town Center boundaries (Brown/Benning)

VOTE: Barnes – No
Benning – Yes
Brown – Yes
Hildebrandt – No
Wootten – No
Mortensen – No
Sanders – No

MOTION FAILED 5-2

Council decided to vote on each boundary change separately.

Vice Mayor Mortensen withdrew his motion to send plan back to Town Center Committee (4)

(7) Motion to approve the southern boundary change (Ellsworth Rd/Queen Creek Wash/intersection) (Mortensen/Brown)

VOTE: Unanimous

(8) Motion to approve the east boundary change (Queen Creek Wash) (Mortensen/Brown)

VOTE: Unanimous

(9) Motion to approve the east boundary change (NW Corner of Hawes Rd/Queen Creek Wash) (Wootten/Mortensen)

VOTE: Barnes – aye
Benning – aye
Brown – no

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Hildebrandt – aye
Wootten – aye
Mortensen – aye
Sanders – aye

MOTION PASSED 6-1

(10) Motion to approve the boundary change to include the Victoria Parcel (Mortensen/Benning)

VOTE: Barnes – aye
Benning – aye
Brown – no
Hildebrandt – aye
Wootten – no
Mortensen – aye
Sanders – aye

MOTION PASSED 5-2

(11) Motion to include the boundary south of Rittenhouse and north of the railroad tracks (northwest area) (Mortensen/Barnes)

VOTE: Barnes – no
Benning – no
Brown – no
Hildebrandt – aye
Wootten – no
Mortensen – aye
Sanders – aye

MOTION FAILED 4 -3

(12) Motion to include the boundary north of the railroad underpass to Loop Road (Mortensen/Barnes)

VOTE: Barnes – no
Benning – no
Brown – no
Hildebrandt – aye
Wootten – no
Mortensen – aye
Sanders – aye

MOTION FAILED 4 – 3

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(13) Motion to include the boundary east of Rittenhouse (railroad tracks) (Mortensen/Barnes)

VOTE: Barnes – no
Benning – no
Brown – no
Hildebrandt – aye
Wootten – no
Mortensen – aye
Sanders – aye

MOTION FAILED 4 – 3

(14) Motion to exclude the existing railroad section (Ellsworth Road southeast to Ocotillo) except for the school district property currently in the plan (Brown/Wootten/Unanimous)

(15) Motion to approve the eastern most boundary change (Villages) (Mortensen/Wootten)

VOTE: Barnes – no
Benning – aye
Brown – no
Hildebrandt – aye
Wootten – aye
Mortensen – aye
Sanders – aye

MOTION PASSED 5-2

The meeting recessed from 9:30 – 9:45pm

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.

10. Discussion and possible approval of the purchase of 15,000 wheeled rollout carts (96 gallon) to be used for curbside automated waste and recycling collection by the Town's Solid Waste Program from Toter Incorporated through the National Intergovernmental Purchasing Alliance Cooperative – City of Tucson Contract No. 084008, for an amount not to exceed \$674,808.

Todd Donovan, representing OTTO, provided information about the company that is located in Eloy, AZ and their product and cost for rollout carts.

CIP Manager Troy White reviewed the research and analysis of various cities and rollout cart vendors. Mr. White included cart features, manufacturing process and lease vs. purchase in the analysis.

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Council discussed using the cooperative purchase agreement and maintaining the September service timeline.

Motion to approve the purchase of 15,000 wheeled rollout carts from Toter Incorporated through City of Tucson Contract No. 084008 for an amount not to exceed \$674,808 (Mortensen/Barnes/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.

11. 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 10:25pm (Benning/Wootten/Unanimous)

12. Adjournment

The Regular Session was adjourned at 10:48pm.

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 April 7, 2010 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 May 5, 2010