



Minutes
Regular Session
Queen Creek Town Council
Queen Creek Town Hall, 22350 S. Ellsworth Road
Council Chambers
August 18, 2010
7:00 p.m.

1. Call to Order

The meeting was called to order at 7:06pm.

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

Council Members present: Alston; Benning; Brown; Oliphant; Wheatley; Vice Mayor Barnes and Mayor Barney.

3. Pledge of Allegiance: Led by Grandon Ray, Varsity Scout Troop 830

4. Invocation: Pastor Randy Lung, Journey Christian Fellowship

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

A. Recognition of Central Christian Church East Valley volunteer group: Mayor Barney presented a certificate of appreciation to Pastor Aaron Pennington in recognition of the 500+ volunteers who painted and cleaned park facilities; planted shrubs and trees, installed irrigation lines and spread 150 tons of granite as a service project to beautify the Town.

B. Recognition of Eagle Scout: Mayor Barney presented Grandon Ray, Varsity Scout Troop 830 with a certificate of appreciation for his Eagle Scout Project. Mr. Ray installed mile markers on the multi-use path of the Queen Creek Wash.

C. 15-Year Service Award – Jennifer Robinson: Mayor Barney presented Town Clerk Robinson with a 15-year service award.

D. 20-Year Recognition – Don Atkinson – Planning and Zoning Commission: Mayor Barney presented Don Atkinson with a plaque in appreciation of serving on the Planning and Zoning Commission for 20 years.

The meeting was recessed from 7:20 – 7:40pm.

**Minutes for the Regular Session
Queen Creek Town Council
August 18, 2010
Page 2**

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 Barney: Phoenix-Mesa Gateway Board Meeting – July 26, 2010: Allegiant Air announced non-stop flights to Colorado Springs; increased passenger and cargo counts; and new lease was approved with Jetstream. A Special Board meeting was held on August 9 where a lease was approved for two larger buildings for cargo aviation services. The next Board meeting is September 20, 2010.

B. Transportation Advisory Committee – August 5, 2010: Council Member Benning: The committee received information and updates on the MAG Commuter Rail Study and Queen Creek Area Traffic Study completed by the City of Mesa and Queen Creek. Staff also provided updates on the ADOT Long Range Transportation Plan and a tour was given of the Town's Traffic Operations Center. The next meeting is scheduled for September 2, 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 August 4, 2010 Work Study and Regular Session Minutes.

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

C. Consideration and possible approval of the appointment of Shawn Valdez, Brandon Walsh, Angela Troge, Jason Gad, Shane Randall, Steve Ingram, Monica O'Toole, Hannah Dixon, Chris Webb, Nancy Diab and Barbara Khalsa to the Town Center Committee.

D. Consideration and possible approval of the re-appointment of Roseann Sweet and the appointment of Gordon Mortensen to the Economic Development Commission.

E. Consideration and possible approval of the re-appointment of David Brandhorst, Chris Clark, Milos Pavicevich and Richard Turman and the appointment of Patricia Conrad and Nichelle Williams to the Transportation Advisory Committee.

**Minutes for the Regular Session
Queen Creek Town Council
August 18, 2010
Page 3**

F. Consideration and possible approval of an annual facilities license agreement between the Town of Queen Creek and Living Waters Bible Church in the amount of \$18,288.48.

G. Consideration and possible approval of the 1st Amendment to the Intergovernmental Agreement (IGA) between the Town of Queen Creek and Town of Gilbert for support services provided by the Town of Gilbert Fire Department to the Town of Queen Creek Fire Department.

H. Consideration and possible approval of a Construction Contract in the amount of \$53,061 with Salt River Project (SRP) for the installation of street lights and cable for the Ellsworth Road Improvement Project from Empire to Cloud Roads.

Staff requested Item B removed for discussion.

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

Item B: Town Manager John Kross explained that the expenditure listed was an annual contract appropriation for the Maricopa County Sheriff's Office contract and that this was the first year the automatic renewal option was used. Mr. Kross reported there were no changes in the staffing or other services and the contract also ties into the Police Service Study recommendations.

Motion to approve Item B as presented (Benning/Oliphant/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 of a request to serve distilled alcohol beverages at an event at Horseshoe Park and Equestrian Centre on October 16, 2010 with proceeds benefiting the Pancreatic Cancer Action Network.

Economic Development Director Doreen Cott introduced the request to serve distilled alcoholic beverages and event activities for an event sponsored by the Pancreatic Cancer Action Network. Ms. Cott explained that the municipal alcohol policy requirement for Council approval to serve any other alcohol than beer & wine.

Council discussed a requirement for MCSO approval/recommendation; size and cost of drinks; and having a designated area for alcohol similar to a beer garden. Council asked Horseshoe Park

**Minutes for the Regular Session
Queen Creek Town Council
August 18, 2010
Page 4**

and Equestrian Centre General Manager Tim Lynch what he would recommend. Mr. Lynch said a somewhat confined area should be considered.

Council also wanted additional information on whether the BBQ would be sold to the public. Emily Wright, the applicant/promoter, said samples or tasting tickets would be required for the BBQ. She said a meeting was scheduled with the Park's concessionaire to discuss foods for sale.

Council further discussed the size and cost of drinks. Program Superintendent Adam Robinson provided information on beer and mixed drinks.

Assistant Town Manager Patrick Flynn suggested that a coded wristband and/or limiting the number of drinks be discussed in the meeting with MCSO. He said a price differential could be considered also.

There was additional discussion on additional security and MCSO Deputies at the event.

**Motion to approve the request by Emily Wright to serve distilled alcohol beverages at an event at Horseshoe Park and Equestrian Centre on October 16, 2010 with proceeds benefiting the Pancreatic Cancer Action Network subject to MCSO security plan and a printed menu showing adequate food will be available (Brown/Benning) 6 – 1 (Wheatley)
Motion Passed**

10. Presentation, discussion and possible action on a request by the City of Apache Junction for comments on the proposed 2010 Apache Junction General Plan.

Planning Manager Wayne Balmer gave a brief overview of general plan and update requirements. He then presented Apache Junction's proposed General Plan update and reviewed staff's comments and concerns regarding the overlap area (state trust land) into Queen Creek's voter approved General Plan. He also pointed out the southern boundary is along the CAP line along the Germann Road alignment dipping southeast along the possible future 802 freeway alignment and Queen Creek's planning area. Mr. Balmer recommended supporting the proposed General Plan update if the overlap area was removed.

Brad Steinke, Apache Junction Planning Director discussed Apache Junction's General Plan update process.

Council said there were previous discussions with Apache Junction during Queen Creek's General Plan update process about including the state land in Queen Creek's plan. Mr. Steinke said Apache Junction didn't feel it was necessary to object at the time to Queen Creek's plan.

There was further discussion on cooperation between Queen Creek and Apache Junction on economic opportunities along a future freeway.

Motion to send comments in support of the Apache Junction General Plan update subject to the Apache Junction Planning Area being modified to delete the portion which conflicts with the Queen Creek Planning Area (Brown/Alston/Unanimous)

**Minutes for the Regular Session
Queen Creek Town Council
August 18, 2010
Page 5**

11. Discussion and possible approval of **Resolution 859-10** adopting the Southeast Mesa/Queen Creek Area Traffic Study.

Community Services Director Tom Condit gave an overview of the joint-funded study between the City of Mesa and Town of Queen Creek. The study looked at future traffic impacts on Sossaman Road and Phoenix-Mesa Gateway Airport.

Mr. Condit said that some of Queen Creek's transportation challenges include multiple at-grade railroad crossings; limited North-South corridor roads and one East-West road (Ocotillo Road) through the Town. He also reported that some findings of the study include:

- Relief of some congestion with the future Queen Creek Parkway and 80th Street extension
- Widening of Germann Road between Rittenhouse and Meridian Roads
- Combination of both finding

The Transportation Advisory Committee (TAC) reviewed the study and recommended the Council adopt the study and request the City of Mesa to do same.

Council asked about the status of improvements to Power Road between Pecos and Williams Field Roads. Mr. Condit responded the project is scheduled to begin next year with a completion date of 2012 and is a Maricopa County/City of Mesa project.

Motion to approve Resolution 859-10 adopting the Southeast Mesa/Queen Creek Area Traffic Study (Brown/Alston/Unanimous)

12. Discussion and possible action on the League of Arizona Cities and Towns proposed resolutions.

Intergovernmental Liaison Wendy Kaserman provided a brief overview of the resolution process and reviewed those resolutions of key interest: economic development tools, sustainable energy, impact fee moratorium, protection of the model city tax code, incorporation reform and government transparency.

Motion to approve staff's recommendations on proposed League of Arizona Cities and Towns resolutions (Barnes/Wheatley/Unanimous)

Economic Development Director Doreen Condit introduced Tim Lynch, the new General Manager of Horseshoe Park and Equestrian Centre.

13. Discussion and possible approval of a contract in the amount not to exceed \$318,874 with Sunland Asphalt for the installation of a 1,260 seat bleacher system at Horseshoe Park and Equestrian Centre.

Public Works Division Manager Troy White reviewed the recommended capital improvements for Horseshoe Park and Equestrian Park and benefits of additional seating.

**Minutes for the Regular Session
Queen Creek Town Council
August 18, 2010
Page 6**

Council asked several questions in regard to management of catwalk traffic and additional cooling fans or shade on the west side of the arena. Mr. White said on-site staff would keep the people moving across the catwalk. He also said that fans or additional shading was not planned but that most of the larger events that would use the covered arena are held in the cooler months, but staff will look at options. Council also asked if there was adequate parking to accommodate the increased attendance. Mr. White responded yes.

There was discussion on handicap accessibility at the catwalk. Mr. White explained that additional handicap seating be provided on the east side and would comply with ADA requirements. Tom Weller, of Danco Specialities, provided detailed information on the design and construction of the bleacher seating and catwalk as well as warranty and maintenance.

Motion to approve a contract in the amount not to exceed \$318,874 with Sunland Asphalt for the installation of a 1,260 seat bleacher system at Horseshoe Park and Equestrian Centre (Benning/Barnes/Unanimous)

14. Discussion and possible approval of the reappointment of Jason Barney as the Town's representative on the Greater Phoenix Economic Council (GPEC) Board of Directors for FY2010-2011.

Mayor Barney stated that there was no conflict of interest regarding this item.

Economic Development Director Doreen Cott stated that Jason Barney served as the Town's representative for FY2009-2010 and is being recommended for reappointment by the Town and Barry Broome of the Greater Phoenix Economic Council (GPEC).

Jason Barney briefly reviewed some of the activities of GPEC, economic development and bringing jobs to Queen Creek.

Motion to appoint Jason Barney as the Town's representative on the Greater Phoenix Economic Council (GPEC) Board of Directors for FY2010-2011 (Barnes/Alston/Unanimous)

15. Discussion and possible action on Town participation with the American Legion and allocation of funding from contingency in the amount of up to \$1,500 (includes in-kind staff support) for assistance in coordinating and marketing the September 11 Day of Remembrance.

Russell DeStefano, Commander of American Legion Dwayne Ellsworth Post 129, thanked the Council for previous support and reviewed the plans for the September 11, 2010 memorial event and support requested from the Town.

Council suggested that funding for future events be considered with other non-profit funding requests as part of the budget process.

Motion to approve allocation of funding from contingency in the amount of up to \$1,500 (includes in-kind staff support) for assistance in coordinating and marketing the September 11 Day of Remembrance (Brown/Wheatley/Unanimous)

**Minutes for the Regular Session
Queen Creek Town Council
August 18, 2010
Page 7**

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.

16. Motion to adjourn to Executive Session for the following purposes:

A. Discussion and consultation with the Town Attorney for legal advice and to consider the Town's position and instruct its attorney and staff regarding acquisition of real property from Armida and Cruz T. Valenzuela (Parcels 304-66-033 & 304-66-018Z) located in Town Center. ARS 38-431.03(A)(3),(4), and (7).

Motion to adjourn to Executive Session at 9:25pm (Brown/Alston/Unanimous)

17. Adjournment

The Regular Session was reconvened and adjourned at 9:55pm.

TOWN OF QUEEN CREEK

Gail Barney, 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 August 18, 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 September 1, 2010