



**Minutes
Work Study Session
Queen Creek Town Council**

Queen Creek Town Hall, 22350 S. Ellsworth Road
Council Chambers
September 1, 2010
5:30pm

1. Call to Order

The Work Study Session was called to order at 5:30pm.

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

Council Members present: Alston; Benning; Brown; Oliphant; Wheatley; Mayor Barney. Vice Mayor Barnes arrived at 6:50pm.

3. Motion to adjourn to Executive Session (to be held in the Saguaro Conference Room of the Development Services Building) for the following purposes:

A. Discussion and consultation with the Town's attorney for legal advice and to consider the Town's position and instruct its attorney regarding lease negotiations with T-Mobile at Desert Mountain Park. A.R.S. 38-431.03(A)(3) and (4).

B. Discussion and consultation with the Town Attorney for legal advice and to consider the Town's position and instruct its attorneys regarding possible settlement or partial settlement of Fulton Homes bankruptcy. A.R.S. § 38-431.03(A)(3) and (4).

C. Discussion and consideration of evaluation, assignments, and employment of Town Clerk (A.R.S. §38-431.03(A)(1)).

Motion to adjourn to Executive Session at 5:31pm (Benning/Alston/Unanimous)

The Work Study Session reconvened at 6:10pm.

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

4. Presentation and discussion of Open Meeting Laws.

Town Attorney Fredda Bisman explained the open meeting laws; definitions of meetings including e-mail communications; notice requirements for public meetings; requirements for agendas and public comment; and executive sessions.

Council asked questions regarding executive session minutes and whether notes between Council Members during a meeting were public records. Ms. Bisman recommended not passing notes.

5. Discussion on the proposed operational fire services fees.

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Financial Services Analyst Kevin Johnson provided a general overview and analysis of the proposed fees that pertain to plan review, permits/inspections and standby personnel. He said the Town Code provides for fees to cover some costs for fire prevention and that the current fees don't cover all services rendered by Fire personnel. Mr. Johnson said that the Fire Code was revised in May 2010 and the proposed fees would be set for cost recovery and be more equitable to the payers and aligned with services provided.

Council asked if the proposed fees are adequate to cover ramped-up service or if outsourcing would be needed. Mr. Johnson responded that issue would be reviewed.

Council also asked if annual inspection fees applied to commercial only and whether it was a flat fee. Staff responded yes, unless there is a residential sprinkler installation and that it was a flat fee.

Fire Marshall Jon Spezzacatena reported that many inspections are conducted during the building phase but once construction is over, there is a need to monitor compliance with on-going annual inspections. He said there are two proposed categories for inspections: 1) on-going and 2) one-time or temporary/special events. Mr. Spezzacatena also discussed the levels of inspections: High Occupancy/high hazard: once per year; Medium Occupancy/low hazard: every two years; and the benefits of inspections and public safety.

There was discussion on cost recovery for fire personnel at large events or responses to out of Town emergencies.

Staff also provided information on the 60-day public notice required on the website; possible approval of fees on November 17, 2010, effective date and community outreach.

Council asked about the frequency of residential vs. commercial calls. Assistant Fire Chief Ron Knight responded that there has been 2 or 3 calls in the past couple years and reviewed one commercial fire incident.

Council also discussed concern with the current property tax rate that provides for fire services and what additional services would be provided for the inspection fee. Mr. Knight explained that fire prevention services are not outlined in the tax rate. Council also asked if inspections were currently being conducted. Mr. Spezzacatena responded that businesses are allowing fire inspections and there is currently no charge but the businesses seem willing to pay for the service. There was also a question about a possible insurance premium reduction to business with annual inspections. Mr. Spezzacatena responded that it was a possibility.

6. Adjournment

The meeting was adjourned at 6:58pm.

TOWN OF QUEEN CREEK

Gail Barney, Mayor

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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 September 1, 2010 Work Study 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 15, 2010