



**Minutes**  
**Regular Session**  
**Queen Creek Town Council**  
Queen Creek Town Hall, 22350 S. Ellsworth Road  
Council Chambers  
November 3, 2010  
7:00 p.m.

**1. Call to Order**

The meeting was called to order at 7:02pm.

**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 Mayor Barney

**4. Invocation:** Pastor Ben Lee, Living Waters Bible Church

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

A. CERT Recognition of the Fall 2010 class: the following were recognized by Mayor Barney with the assistance of Fire Chief Van Summers; Battalion Chief Keith Lloyd and Public Safety Manager Joe LaFortune for participating and graduating from the Fall 2010 CERT Class: David Bond; Jamie Cancel; Nathan Gowin; Ed Horton; Alexander Kolski; Amanda Nemec; Benjamin Noland; Derek Robinson; Christina Rowden; Ernie Talavera; Trudy Talavera; and Jean-Louis Vanhie.

B. ICMA Certificate of Achievement presentation to the Town: Town Manager John Kross invited Management Assistant Wendy Kaserman and Financial Services Analyst Kevin Johnson to accept the award for Superior Performance in the Use of Performance Management, for the highest standards in service delivery.

**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.

Council Member Oliphant attended the October 22, 2010 Pinal County Alliance meeting. Discussion included the impact of elections, redistricting; fireworks regulations and possible passage of Proposition 203. The next Pinal County Town Hall was also discussed.

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Vice Mayor Barnes attended the Business Development Coordination Group (Phoenix-Mesa Gateway Airport) and reported on the discussion of branding the Gateway Corridor and Power Knowledge Corridor; developing an inventory map and discussion on business incubator.

Mayor Barney reported on the MAG Regional Council meeting and the name change of former SR802 to SR24; and discussion on PM-10 and EPA issues.

B. Economic Development Commission – October 27, 2010: Vice Mayor Craig Barnes reported the presentations by Jeff Collier with Energy Derived LLC on the development of efficient algae production systems; Utilities Director Paul Gardner on the Waste Water Master Plan and Central Arizona Groundwater Replenishment District; and a presentation by staff on the Business Incubator program. The next meeting has not been scheduled because of the Thanksgiving holiday.

C. Disaster Management Committee – October 27, 2010: Public Safety Manager Joe LaFortune reported on the Committees discussion on Response Districts and team roles and the building of a database of CERT members who live in the Disaster Response Districts, school and church contacts and HOA or neighborhood leaders. The next meeting is scheduled for November 15, 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 October 6, 2010 Work Study and Regular Session Minutes.

B. Consideration and possible approval of a contract with Uni-Tech Mechanical Contracting in the amount not to exceed \$40,379.05 for the installation of two (2) 20-ton rooftop HVAC units on Town Hall.

C. Consideration and possible approval of the appointment of Council Member Dawn Oliphant to the Central Arizona Association of Governments Transportation Policy Committee (CAAGTPC).

D. Consideration and possible approval of an amended Employment Agreement with Jennifer Robinson, Town Clerk.

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E. Consideration and possible approval of **Resolution 860-10** amending the Town Council Meeting Procedures and Policies Handbook concerning vote protocols.

**Motion to approve the Consent Calendar as presented** (Barnes/Alston/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.

Rules were suspended and Item 12 was heard before Item 9.

**9.** Discussion and possible action on the differences between proclamations and resolutions and possible consideration of a resolution for Operation Wounded Warrior at a future Council meeting.

Town Attorney Fredda Bisman gave a presentation explaining the differences between Proclamations, Resolutions and Ordinances.

There was no action on a future resolution for Operation Wounded Warrior.

**10.** Discussion and possible action to direct staff to prepare an ordinance for Council consideration based on newly enacted legislation, that the total of all votes cast for mayoral candidates constitutes the total number of votes cast at that election and is the basis for calculating whether a candidate for Mayor or Council has received a majority of all votes cast at that election.

Town Attorney Bisman and Town Clerk Jennifer Robinson gave a presentation on the option to calculate majority votes from the total number of votes cast for Mayor and the outstanding issues that need to be addressed regarding an election without a Mayoral candidate and run-off elections if Council candidates receive fewer votes than a Mayoral candidate.

**Motion to continue indefinitely until further Legislative action and to keep the Council updated** (Alston/Wheatley/Unanimous)

**11.** Discussion and possible approval of a waiver of the Town's Purchasing Policy, granting the Town Manager the authority to sign a contract to install shedrow barns at Horseshoe Park and Equestrian Centre in an amount not to exceed \$550,000 with the selected vendor.

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Public Works Division Manager Troy White provided an update on the capital improvements including the funding for Horseshoe Park & Equestrian Centre approved by Council March 17, 2010. Mr. White reported that only two improvements remain – an additional arena and barn stalls. Mr. White stated that HPEC General Manager Tim Lynch recommended installing the barn stalls immediately and reviewed the Request for Proposals for shedrow barns.

Mr. White reviewed the RFP and the Purchasing Policy as it related to the request to waive the signature authority and that all other requirements of the policy will be met. Mr. White also noted that if the submittals can't meet the required deadlines, then the signature authority waiver wouldn't be necessary and a contract would be brought back to Council for approval.

Staff provided information on a January 2011 event (Arizona Cutting Horse Association's January Show) that will require 250-300 stalls. Mr. White provided information on the revenues generated from barn rentals for this type of show. He also said a contingency plan was made to rent stalls if no RFP submittals meet the requirements, which would not generate as much revenue as the Town would have to pay for renting the stalls. He added that the Association plans to have several events at HPEC annually.

There was discussion on whether alternative barn layout or styles were considered. Mr. White responded yes, but costs were too high.

Council asked whether there was adequate bedding storage for the number of barn stalls. HPEC General Manager Tim Lynch responded that there is currently storage capacity for 1000 bags of bedding and a large show could use up to 3000 bags. He explained how bedding is wrapped, delivered and stored.

Council asked whether the Friends of Horseshoe Park or Parks and Recreation Advisory Committee supported or approved of the shedrow barn proposal.

Jon Wootten, a member of Friends of Horseshoe Park, said Mr. Lynch worked with the Friends and the concept was very different from originally envisioned, but the shedrow barns are appropriate.

There was discussion on the uses, lifespan and residual value of shedrow barns, if an alternative barn style is desired in the future. Mr. Lynch said that resale of shedrow barns is very desirable and generally retain 50-75% of the value.

Mr. White further explained the RFP process, the procedure for reviewing proposals, awarding points based on the criteria and selecting the winning proposal.

**Motion to approve the waiver of the Town's Purchasing Policy, granting the Town Manager the authority to sign a contract to install shedrow barns at Horseshoe Park & Equestrian Centre in an amount not to exceed \$550,000 with the selected vendor, and if the selected vendor can't meet the deadline, approval of the contract will be brought back to the Council for approval (Brown/Benning/Unanimous)**

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

**12.** Presentation by Maricopa County Department of Transportation (MCDOT) and staff on the findings and repair alternatives for the Ocotillo Bridge at Queen Creek Wash.

Public Works Division Manager Troy White provided a bridge inspection history from 2002 to current, and explained that the maintenance plans including grouting and sealing cracks have been effective but the bridge continues to have movement.

Nereman Sadea, Project Manager for MCDOT, provided additional information on the condition of the Ocotillo Bridge and explained that temperature variance is causing cracks due to the type of bridge construction. He said driving is safe on the bridge and vehicles are not a cause of the cracks. Mr. Sadea reviewed several rehabilitation options including replacement and the recommended option to monitor for 6 months with the varying temperatures. Costs were also presented: \$758k – 2.5m for replacement options and \$75k for monitoring. Council asked what agency would pay for the monitoring. Mr. Sadea responded that MCDOT would. There was also some discussion on federal funding for repairs.

Council asked about the condition of the Chandler Heights Bridge over Sanokai Wash. Mr. Sadea stated that the bridge is fine and explained how the Ocotillo Bridge is at a skewed angle over the wash, not allowing for contraction or expansion.

**13.** Overview and update of the ICMA – Center for Performance Measurement Program.

Town Manager Kross explained how performance measurements can be used to assess progress and service deliveries; inform the public and for budgetary & resource accountability.

Management Assistant Wendy Kaserman provided information on the Center for Performance Management through ICMA and Queen Creek's participation beginning in 2005 with other Arizona jurisdictions, which make up the Arizona Consortium.

Financial Services Analyst Kevin Johnson discussed service specific templates and how each jurisdiction uses templates that are suitable to the services each provide. He provided information on:

- Data collection and reports by ICMA-CPM
- Samples of reports
- Dashboard report
- Service areas analysis

Mr. Johnson said that there are other performance measurement tools used such as the Corporate Strategic Plan and budget related measures and a staff committee has been formed to evaluate how the different measures can be used to gauge how the organization is doing.

He added that although the Town was recognized for superior performance management efforts, there are still opportunities for further improvements and achievement.

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**14. Motion to adjourn to Executive Session:** The Council may reconvene the Executive Session for any of the items listed on the Executive Session Agenda.

None.

**15. Adjournment**

The meeting adjourned at 8:39pm.

TOWN OF QUEEN CREEK

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Gail Barney, Mayor

Attest:

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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 November 3, 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.

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Jennifer F. Robinson, MMC

Passed and approved on November 17, 2010