



**Minutes**  
**Regular Session**  
**Queen Creek Town Council**  
Queen Creek Town Hall, 22350 S. Ellsworth Road  
Council Chambers  
October 20, 2010  
7:00 p.m.

**1. Call to Order**

The meeting was called to order at 7:00pm.

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

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

**3. Pledge of Allegiance:** Presentation of Flag and Pledge of Allegiance by the Young Marines.

**4. Invocation:** Pastor Ron Nelson – Life Link Church

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

A. Proclamation – Red Ribbon Week – October 21-31, 2010 – Mayor Barney

B. Proclamation – Arizona Cities & Town’s Week – October 25-29, 2010 – Council Member Brown

C. Five-Year Service Award – Lee Councilor, Facilities & Fleet Superintendant was recognized by Town Manager John Kross.

D. Announcement of the kick-off for the Town’s solar hot water rebate program: Council Member Benning announced that Town residents will be able to apply for a \$750 solar hot water rebate. Information is available on the Town’s website.

E. Certificate of Appreciation to the Town from Young Marines (continued to a future meeting)

**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.

Vice Mayor Barnes reported on the MAG meeting and discussion on Williams Gateway Freeway Segment (802) and that the City of Mesa is advancing start of construction to 2012.

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Vice Mayor Barnes also reported on the Phoenix-Mesa Gateway Airport Economic Partners meeting and discussion on the Williams Gateway Freeway and completion of Ray Road.

Council Member Brown reported on the East Valley Partnership meeting where four new members were appointed and Speaker of the House Kirk Adams discussed jobs and the State budget situation.

Mayor Barney reported on the Phoenix-Mesa Gateway Board meeting. The new terminal building is scheduled to open November 9; terminal parking changes; and a new Passenger Facility Charge application to the FAA. The fee if approved will cover future airport improvements.

B. Town Center Committee – October 13, 2010: Council Member Wheatley reported on the Committees approval of Committee By-laws; approval of Jason Gad as Chair and Chris Webb as Vice Chair for FY10-11; assignment of staggered terms and discussion and approval of the Committee’s Work Plan for FY10-11. The next meeting is scheduled for November 10, 2010.

C. Parks and Recreation Advisory Committee – October 13, 2010: Parks & Recreation Director Debbie Gomez reported on the Committee’s discussion of the Committee’s Work Plan for FY10-11, focusing on review and development of policies for parks; presentations and discussion on the Founder’s Park beautification project; Park Ranger Quarterly Statistics report and staff updates on programs and statistics for the department. The next meeting is February 15, 2011.

D. Transportation Advisory Committee – October 7, 2010: Chair Ryan Nichols reported the Committee finalized and approved the Annual Work Plan that includes Transportation Projects, Defined Corridors & Studies, Regional Partners, Safety Projects & Traffic Control issues and community outreach. The next meeting is November 4, 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 September 15, 2010 Work Study and Regular Session Minutes.

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

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C. Consideration and possible approval of **DR10-075 “Maracay Homes at Lucia”** a request for Design Review approval of seven standard floor plans with three elevations each on a total of 53 remaining lots in the Lucia subdivision zoned R1-12 located at the northeast corner of Sossaman and Ocotillo Roads.

**\*D. Public Hearing** and possible approval of a Person Transfer Series 07 (07070861) Beer and Wine Bar liquor license application submitted by Keith Robert Goyan/Sonoran Golf Management LLC for Las Colinas Golf Club located at 21515 E. Village Loop Rd., Queen Creek. The Las Colinas Golf Club is currently licensed with a Series 07 Beer and Wine Bar license (07070861) Mills Arthur Brown, Agent/Mainspring Capital II, LLC, owner.

Council requested Item C pulled.

**Motion to approve remainder of Consent Calendar as presented**  
(Benning/Wheatley/Unanimous)

**Item C:** Council Member Benning commended the applicant for submitting outstanding plans & elevations.

**Motion to approve Item C as presented** (Benning/Barnes/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 action to direct staff to enter into a contract with National Sign Plazas for a homebuilder and directional signage program.

Economic Development Director Doreen Cott presented concepts for directional signage and homebuilder signage as a follow-up to the July 21, 2010 Council meeting and discussion regarding signage. Ms. Cott stated direction was requested for 1) sign design; 2) location/criteria for directional signage; and 3) authorization to enter into a contract with National Sign Plazas. Ms. Cott added that Town Center specific signage will be brought forward at a future meeting but it was important to have directional signage to the shopping centers within the Town Center.

Ms. Cott’s presentation included two types of directional signage: vehicular wayfinding/directional and homebuilder. She explained that vehicular signage would help get people to where they wanted to go such as Town facilities (library, Town Hall etc.); Chamber of

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Commerce, Performing Arts Center etc; and Special Event venues such as Schnepf Farms and Olive Mill. She said all concepts are consistent with the approved branding designs & colors.

Ms. Cott presented the homebuilder sign concepts and proposed phasing plan for right-of-way locations throughout the Town. If right-of-way placement is approved, the Town's Sign Code would need to be amended. Council discussed the costs and phasing plan. Ms. Cott explained that the phasing plan allows for fine tuning of the placement.

Council discussed the color palette that was provided to the sign company for the vehicular directional signage and whether they would be visible or easy to read at night. Ms. Cott responded that the letters are reflective and Grant Hayzlett, representing National Sign Plazas, provided additional information on the reflectivity of signs and consideration given to what businesses/locations might be open at night.

Visibility of single-sided homebuilder signs was discussed. Ms. Cott said that the signs in Phase 1 are double-sided and one side could be used initially for way finding. Council also discussed preference for using the color & logo of individual homebuilders, providing ease of recognition for people looking for a specific development.

Council asked whether the signs are made locally. Mr. Hayzlett responded that National Sign Plazas is the sign fabricator and local Arizona vendors are used and could look at Queen Creek vendors.

Additional discussion was on the price of Phase 1 Homebuilders signage.

**Motion to direct staff to enter into a contract with National Sign Plazas for the Homebuilders & Directional signage program to include the brown & white signage for the vehicular directional signs and multi-colored homebuilder signs with locations as proposed (Brown/Barnes/Unanimous)**

**10.** Discussion and possible action on authorizing staff to apply to the ULI Advisory Services Panel and allocating \$160,000 from Contingency funds for the purposes of evaluating the Town's economic sustainability.

Town Manager Kross stated that an evaluation could validate the Town's current Economic Development Strategy and/or provide possible changes to the strategy and give direction to become sustainable at build-out. Mr. Kross that once construction tax and development fees cease to generate revenue additional revenue sources will be necessary.

Mr. Kross said local groups have been considered to perform a study, but staff is recommending ULI (Urban Land Institute) and the group would bring in neutral experts and if approved Economic Development Director Doreen Cott and Planning Manager Wayne Balmer would work closely with ULI.

Mr. Balmer provided information on the ULI; the study process from application to visit to final report. He said the staff proposed time schedule shows a spring schedule for conducting the study. The fee schedule includes professional fees and travel.

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Council discussed the costs directly associated with the study and level of staff involvement and costs differences between the 3 and 5 day panel. Mr. Balmer explained that the 3 day panel would involve fewer people, cover perhaps 1-2 issues and be more superficial while the 5 day panel would involve 8-9 people and be more in-depth on many issues.

Council discussed the possibility of people in the community and staff performing a study and that it would be important to include them in the process. The Council also discussed their concern with the cost of the contract. Mr. Balmer said as the project gets more defined, the costs would become firmer.

Discussion continued about defining what questions or uncertainties regarding economic development the Town would want answered prior approving the expenditure for the contract. Mr. Kross said Council input on the questions would be needed and during the 2<sup>nd</sup> step of the process/approval of the contract, the questions can be finalized. Mr. Kross added that the deadline for questions would be February or March providing adequate time to identify stakeholders and meet with committees and stakeholders.

**Motion to authorize staff to apply to the ULI Advisory Services Panel and allocate \$160k from contingency for the purposes of evaluating the Town's economic sustainability (Barney/Benning)**

**2<sup>nd</sup> Motion to authorize staff to apply to the ULI Advisory Services Panel excluding the allocation of \$160k at this time (Brown/Barnes)**

Council asked if the ULI would accept an application without funding allocation. Mr. Balmer responded that an application packet can be submitted but committed funding would be necessary prior to ULI assembling a panel or there could be a delay in the project. Mr. Kross added that the funding needs to be approved with the acceptance of the application and approval of the contract.

**Vote on 2<sup>nd</sup> motion: 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.

**11.** Status update on the Queen Creek Cultural Foundation.

Wendy Feldman-Kerr, representing the Queen Creek Cultural Foundation provided a report on the activities provided by the Foundation. Those activities included the Back to School Bash and

Radio Disney's continued partnership; the upcoming spring mid-year musical "Hairspray" and summer musical "Annie" and continued partnering with the Town on park events. Ms. Feldman-Kerr also suggested that the Foundation and Council meet at a future Work Study Session to discuss future programming and funding.

**12.** Presentation and discussion on the Leadership Centre and their programs in Queen Creek.

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Cynthia Dunham & Les Presmyk (Gilbert Council Member), representing the Leadership Centre gave a presentation on the programs offered through the Centre and status of Queen Creek's participation in those programs.

Discussion was on the benefits of educating HOA's and management companies.

**13. Discussion on possible amendments to the Town Council Policies and Procedures concerning the Public Comment portion of the agenda and tie vote protocols.**

As a follow-up to the previous Council Meeting, Town Manager Kross presented suggestions to consider regarding tie-votes and public comment. Mr. Kross explained that any changes would require amending the adopted Council Procedures and Handbook. Three options were regarding tie-votes were presented: 1) any member of the Council may make a motion for reconsideration pursuant to all other provisions of the procedures; Mayor or two Council Members would need to request issue be scheduled; 2) in case of a tie-vote, the issue would be automatically scheduled on the next Council agenda; 3) make no changes. Council discussed expectations to attend Council meetings and thereby avoiding tie-votes and possible appearance of staged votes. Points of discussion also included:

- One Council Member voting for and one Council Member voting against issue would need to request item reconsidered
- Burden on absent Council Member
- Infrequency of tie-votes and declaration of conflict of interest resulting in a tie-vote
- Providing an alternative motion to resolve tie-votes

There was further discussion on how a tie-vote is classified or considered as "no action" and a motion or request to bring the item back would be to "reconsider". Mr. Kross explained that a strict interpretation of Roberts Rules of Order would require an immediate reconsideration that would be in violation of the Arizona Open Meeting Laws. Mr. Kross also stated that an option to consider would be a continuance.

Council direction was to incorporate the requirement that one Council Member from each side (aye & naye) request through the Town Manager that the item be placed on a future agenda for reconsideration.

Mr. Kross reviewed possible amendments to the Public Comment section of the agenda. One is similar to other agencies that allow a set amount of time for public comment – 15 minutes total and still providing 3 minutes per speaker; or 2) providing the option to continue public comment to the end of the agenda if necessary.

Council discussed that extensive public comment is not a problem at this time and public comment is the resident's opportunity to address the Council.

Council directed that no changes be made to the Public Comment section of the agenda.

**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.**

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The Executive Session at reconvened at 9:25pm.

**15. Adjournment**

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 October 20, 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 November 17, 2010