



Minutes
Regular Session
Queen Creek Town Council
Queen Creek Town Hall, 22350 S. Ellsworth Road
Council Chambers
February 16, 2011
7:00 p.m.

1. Call to Order

Mayor Barney called the meeting to order at 7:03pm.

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

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

3. Pledge of Allegiance: Led by Mayor Barney

4. Invocation: Pastor Randy Lung, The Journey Christian Fellowship

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

None.

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 reported on meeting with Queen Creek's Legislative representatives during the past week and discussing the many bad bills introduced that affect cities and towns. Mayor Barney added that SB 1221 freezing state shared revenue is scheduled for a vote on February 17, 2011.

B. Partner agencies quarterly or periodic updates to Council. This may include but is not limited to Queen Creek Chamber of Commerce; Queen Creek Performing Arts Center; Boys & Girls Club of East Valley; and Maricopa or Pinal County Board of Supervisors or other governmental agencies. 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.

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None.

C. Transportation Advisory Committee – February 3, 2011: Council Member Benning reported on the Committee’s discussion on critical transportation corridors to assist the Disaster Management Committee; status of trail development and the current Residential Traffic Calming policy. The next meeting is March 3, 2011.

D. Town Center Committee – February 9, 2011: Economic Development Director Doreen Cott reported. A presentation was given on the ASU Capstone Project for the Town Center area and information was provided for discussion on Mainstreet’s 4 point approach. Two sub-committees were formed to focus on marketing and promotions. The next meeting is March 9, 2011.

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 January 19, 2011 Work Study and Regular Session Minutes.

B. Consideration and possible approval of directing the Town's attorneys to file an administrative appeal of the decision of the Social Security Administration that Queen Creek firefighters are subject to Social Security, and to also file a lawsuit challenging the decision.

C. Consideration and possible approval of the use of City of Chandler’s Cooperative Contract with Southwest Slurry Seal for slurry seal and micro surface seal in an amount up to \$500,000.

D. Consideration and possible approval of (1) the use of City of Chandler’s Cooperative Contract with CPC Construction for asphalt rubber crack sealing services up to an amount of \$50,000; and (2) the use of Arizona Department of Transportation’s (ADOT) Cooperative Contract with Crafcoc for crack seal material up to an amount of \$80,000.

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E. Consideration and possible approval of the use of City of Chandler's Cooperative Contract with Cholla Pavement Maintenance for asphalt maintenance fog seal services up to an amount not to exceed \$172,000.

F. Consideration and possible approval of a Cooperative Purchase Agreement with Sunland Asphalt for the crushing and screening of recycled asphalt in an amount not to exceed \$99,250.

G. Consideration and possible approval of a Cooperative Purchase Agreement with CPC Construction for patchwork in an amount not to exceed \$350,000.

H. Consideration and possible approval of two Change Orders totaling \$9,311 to the Horine Electrical Contract for the installation of new electrical service to the barn stalls at Horseshoe Park and Equestrian Centre.

*I. Public Hearing and possible approval of a Series 12 Restaurant Liquor License application (#12078617) submitted by Daniel Duke Dayton II, on behalf of Costa Vida Fresh Mexican Grill, located at 21152 E. Rittenhouse Rd., #102.

Motion to approve the Consent Calendar as presented (Alston/Benning/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 on a request from Pinal County for comments on Rezoning Case PZ-006-10 and PAD Amendment PZ-PD-006-10, rezoning from CR-4/PAD Multiple Residence Zone with Planned Area Development Overlay District and CR-5/PAD Multiple Residence Zone on 96.9 acres to plan and develop a commercial retail/office center featuring a hotel and other commercial uses; pending and in conjunction with the Pinal County Supervisor's PAD Overlay District approval of PZ-PD006-10. The property is located in the northwest corner area of Mountain Vista Blvd. and Hunt Hwy, southeast of the Town of Queen Creek.

Planning Manager Wayne Balmer gave a presentation on the proposed rezoning and PAD amendment application. Mr. Balmer said no definite plan or preliminary plat information, including proposed uses, transportation or drainage & fissures was provided with the application. He also reported that the application is not consistent with

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the Pinal County Comprehensive Plan or Queen Creek General Plan. Mr. Balmer further identified staff's concerns with the application:

- Incompatibility with surrounding residential development (existing & proposed)
- Competing development of Hunt Hwy and Gary Roads Activity Center
- Designation as Regional center based on square footage of office and/or retail
- Primary access only from Hunt Hwy
- No traffic study provided
- Hunt Hwy widening/improvement plans are pending

Mr. Balmer provided staff's recommendation for the Council to support the Pinal County Comprehensive Plan and request that the Pinal County Board of Supervisors deny the request and to have staff attend the Pinal County Planning Commission and the Board of Supervisor's meetings to present the Town's concerns.

Council discussed the applicant's failure to comply with Pinal County standards.

Motion to forward a letter to the Pinal County Supervisor's, requesting a denial of the case and indicated the concerns discussed (Benning/Oliphant/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.

10. Presentation on the Florence Copper project by High Ground public relations.

Rustyn Sherer, representing the Florence Copper Project (HDI Curis), introduced and presented information on the Florence Copper Project. He highlighted the type of mining (in-situ recovery) process; 20 year life; and economic benefits to the state, county and Town of Florence. Mr. Sherer said it is expected to have the mine operational in 2014.

11. Adjournment

The meeting was adjourned at 7:48pm.

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 February 16, 2011 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 March 2, 2011