



Minutes
Regular Session
Queen Creek Town Council
Queen Creek Town Hall, 22350 S. Ellsworth Road
Council Chambers
June 15, 2011
7:00 p.m.

1. Call to Order

The meeting was called to order at 7:05pm.

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

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

3. Pledge of Allegiance: Led by Council Member Barnes

4. Invocation: A moment of silence was held.

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

A. Citizen Leadership Graduation: The 16th Citizen Leadership Institute class was presented with certificates by Vice Mayor Brown and Council Member Oliphant:

Coleen Alonzi; Farhana Baki; Gail Barney; Steve Conklin; Lynn Hurley; Dallin Kimble; Patrice Meighan; Joe Miller; Tami Miller; Tom Nelson; Morgan Ranger; Stuart Smith; Connie Speelman-Harris and Rebecca Ticken.

B. 15 – Year Service Recognition – John Kross, Town Manager

Mr. Kross began working for the Town in 1996 as the Town Planner, becoming the Planning/Community Development Director; Assistant Town Manager and Town Manager in 2007.

MCSO Deputy Ivan Lopez was introduced as the Town's new Community Policing Deputy.

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.

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Mayor Barney reported on the Town's annual Ice Cream Social held on Saturday June 11, 2011 at the Queen Creek Library. The Ellsworth Road ribbon cutting was also held at the same time. Approximately 800 people attended the social. The next event will be the Pancake Breakfast in October.

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.

None.

C. Town Center – Planning & Zoning Commission Joint Meeting – June 8, 2011: Jason Gad, Chair, reported on the ASU Capstone project presentation and recommendations to the Council to accept the report and have staff evaluate those recommendations with staff and the Town Center Committee for further consideration. The next meeting is July 13, 2011.

D. Transportation Advisory Committee – June 2, 2011: Ryan Nichols; Chair, reported on the final discussions on updating the Traffic Calming Policy and updates on the Capital Improvement Projects program and Intelligent Transportation System project. The next meeting is July 7, 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 May 18, 2011 Work Study and Regular Session Minutes.

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

C. Consideration and possible approval of an annual Letter of Intent to continue participation with United Healthcare (UHC) for medical insurance for FY11/12.

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D. Consideration and possible approval of an annual Letter of Intent to continue participation with MetLife Dental for dental insurance for FY11/12.

E. Consideration and possible approval of an Agreement between the Queen Creek Chamber of Commerce and the Town of Queen Creek in the amount of \$55,000 for FY11/12.

F. Consideration and possible approval of an Agreement between the Queen Creek Cultural Foundation (QCCF) and the Town of Queen Creek in the amount of \$100,000 for FY 11/12.

G. Consideration and possible approval of an Agreement between the Greater Phoenix Economic Council (GPEC) and the Town of Queen Creek in the amount of \$9,719 for FY 11/12.

H. Consideration and possible approval of an Agreement between the Boys and Girls Club of the East Valley and the Town of Queen Creek in the amount of \$75,000 for FY 11/12.

I. Consideration and possible approval of a Professional Services Contract with TischlerBise in the amount not to exceed \$84,600 to update the Town's Development Impact Fees pursuant to SB1525.

J. Consideration and possible approval of the Agreement for Law Enforcement Services with the Maricopa County Sheriff's Office for FY 2012-2014 with services for FY11/12 in the amount of \$3,194,932 and the use of contingency funds allowed in FY 11/12 for one-time expenditures in the amount of \$47,598.

K. Consideration and possible approval of a Second Amendment to the Professional Services Contract with Heinfeld, Meech & Company (2009-19) in the amount not to exceed \$39,848 for the year ending June 30, 2011 audit of the financial statements of the Town of Queen Creek.

L. Consideration and possible approval of the "Final Plat of Queen Creek Crossroads", a request by QC Crossroads, LLC and Firstbank of Arizona.

M. Consideration and possible approval of the "Final Plat of Emperor Estates Phase IV West", a request by Lennar Communities Development, Inc.

N. Consideration and possible approval of the Council Committee Assignments for FY 11/12.

O. Consideration and possible approval of the Notice of Intention setting the time (7pm) and the date (August 17, 2011) for the Public Hearing to modify wastewater rates.

Item N was pulled for discussion.

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**Motion to approve Items A – M & O on the Consent Calendar as presented
(Alston/Benning/Unanimous)**

Item N: Town Manager Kross explained that per new state legislation, Council Members/elected officials may not serve on a development fee working group/committee or task force. This does not prohibit them from attending the meetings however. Mr. Kross said once other appointments are recommended, they will be forwarded to the Council for approval. Council asked if they could designate a Chair. Mgmt. Assistant Kaserman responded that the statute defines the membership of the committee only.

Mr. Kross also stated that the CAAG Transportation Policy Committee needed an additional member and recommended that Council Member Benning be appointed.

Motion to remove reference to appointments to Development Fee Working Group/Task Force (Benning & Wheatley) and appoint Council Member Benning to the CAAG Transportation Policy Committee (Brown/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 on the approval of additional spending authority in the amount of \$275,223 for the final design of the Sonoqui Wash Phase II project from Chandler Heights Road to Crismon Road.

Public Works Manager White provided the historical background on the Sonoqui Wash Project which is intended to confine the floodplain to the banks of the wash channel. He discussed the Intergovernmental Agreement between the Town and Maricopa County Flood Control District and the difference between the estimated costs originally included in the IGA and the final costs. Mr. White provided the changes the Town made including the full box culvert at Hawes & Riggs; bridge at Riggs & Sonoqui Wash and trail enhancements; and delays by Bureau of Reclamation during the design and condemnation process. Council asked if the crossing at Ellsworth Road was complete; Mr. White responded that the box culvert was installed and will also have an at-grade crossing.

Motion to approve additional spending authority in the amount of \$275,223 for the final design of the Sonoqui Wash Phase II project from Chandler Heights Road to Crismon Road (Benning/Wheatley/Unanimous)

10. Discussion and possible action on the approval of **Ordinance 498-11** setting the primary property tax rate and levy for FY 11/12.

Assistant Town Manager Flynn reported that the Final FY11/12 Budget approved on June 1, 2011 included the proposed tax levy amount and the public hearing was also held on June 1 and the next step is to adopt by ordinance the primary property tax rate and levy for FY11/12.

Motion to approve Ordinance 498-11 setting the primary property tax rate and levy for FY 11/12 (Barnes/Benning/Unanimous)

11. Discussion and possible action on the approval of **Ordinance 499-11** setting the secondary property tax rate and levy for the Street Lighting Improvement Districts for FY 11/12.

Staff requested a continuance.

Motion to continue Ordinance 499-11 secondary property tax levy to the July 20, 2011 Council meeting (Brown/Alston/Unanimous)

12. Discussion and possible action on the Roots N' Boots event at Horseshoe Park & Equestrian Centre.

Vice Mayor Brown and Council Member Benning requested this item be placed on the agenda.

Vice Mayor Brown made reference to a recent news article regarding the Gilbert Days Rodeo and discussed the success of the Roots N' Boots Rodeo. Vice Mayor Brown reported he spoke with Jon Wootten of Friends of Horseshoe Park about creating a stronger partnership with GPC, Friends of Horseshoe Park and the Town and perhaps speak to the Council about opportunities or options for an event.

Council Member Benning stated it was unfortunate the Town was unable to sponsor the event due to financial constraints, and after speaking with Mr. Wootten, would like to ask the Council to discuss and possibly authorize up to 12 hours of staff time to assist Friends of Horseshoe Park in organizing an event.

Council discussed how methods for advertising and business & sponsor connections had been established. Council asked for more information on the financial analysis completed by Parks & Recreation staff on the Roots N' Boots event. Recreation Superintendent Adam Robinson reviewed the expense report. There was discussion about the largest costs being attributed to the rodeo & activities and staffing. The

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request for staff time, up to 12 hours was asked for to determine the viability of an event.

Jon Wootten, representing Friends of Horseshoe Park, said that the Board has discussed options for holding an event, and that Friends could pick up staff time. He also reported the following:

- GPC is interested in sharing an event but not in sponsoring
- Friends is very interested in working with Parks & Recreation
- Asked that Tim Lynch, GM of Horseshoe Park & Equestrian Centre hold the last weekend of March open

Council asked if the length of an event was considered; Mr. Wootten responded that everything was being considered.

Council asked Planning Manager Balmer for a brief summary of the Urban Land Institutes recommendation on community events and Horseshoe Park.

Motion to authorize up to 12 hours staff time to work with Friends of Horseshoe Park including organizing and moving forward on a Roots N' Boots event for 2012 (Benning/Brown/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.

13. Discussion on the end of Legislation Session Report.

Mike Williams, Williams & Associates, the Town's contract lobbyist, reported on the final status of several bills approved by the Legislature. Mr. Williams explained that the primary goal/priority for the session was to protect state shared revenue; maintain local control and oppose unfunded mandates put upon cities & towns. Mr. Williams reviewed the following bills:

- SB1220/SB1165 – model city tax code and auditors/collectors
- SB1525 – development fees
- HB2289/SB1160 – residential rental tax and voter approval of any increases
- SB1598 – timelines for development process/permitting/plan review/inspections and licensing
- SB1333 – de-annexation (doesn't apply to Maricopa or Pinal County)
- SB1322 – managed competition (privatization); although vetoed expect it to come back next session

Mr. Williams also discussed briefly the congressional/legislative redistricting process as a result of the 2010 Census and Queen Creek should expect some change in representation.

Mr. Williams also stated that the Legislature wanted additional issues brought back for consideration at the recent Special Session but the Governor didn't, thus no action was taken on the unemployment issue.

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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.

Motion to adjourn to Executive Session at 8:30pm (Brown/Alston/Unanimous)

15. Adjournment

The Regular Session reconvened and recessed at 9:35pm.

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 June 15, 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 July 20, 2011.