



Minutes
Regular Session
Queen Creek Town Council
Queen Creek Town Hall, 22350 S. Ellsworth Road
Council Chambers
September 21, 2011
7:00 p.m.

1. Call to Order

The meeting was called to order at 7:11pm.

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: Boy Scout Troop 809

4. Invocation: Pastor Aaron Pennington, East Valley Central Christian Church

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

A. Proclamation: Operation Wounded Warrior: Mayor Barney read the proclamation recognizing the activities and dedication of the volunteers of Operation Wounded Warrior to wounded military veterans and declared October 6-9 as Operation Wounded Warrior week.

B. Proclamation: Recognizing Military Service and Public Safety Personnel: Mayor Barney read a proclamation recognizing and honoring the sacrifices and contributions made by military personnel and their families.

C. Volunteer Recognition

- Eagle Scout Addison Cox: Addison Cox from Troop #82 organized and led a group of 28 volunteers to clean and paint 67 fire hydrants in the Rancho Jardines neighborhood. The group provided 140 hours of service.
- Independent Life Services: The volunteers from Independent Life Services helped clean trash along a mile section of Rittenhouse Road. The group was also recognized for providing on-going service throughout the year.
- Girl Scout Troop 995: The Girl Scouts were recognized for planting the Town Hall flower bed.

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- Pakistan Information and Cultural Organization: Members of this group were unable to attend. They were recognized for painting fire lanes at the Library and Recreation Annex.

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 a meeting with Representative Frank Pratt to discuss key issues for the cities and towns in advance of the legislative session beginning January 2012. Mayor Barney said that meetings will be scheduled with the other representatives in the coming weeks.

Council Member Barnes reported on the National League of Cities Leadership Summit sessions: Blue Zones; Strategy Mapping; Challenges of Homelessness in Cities and Sustainable Futures in Communities.

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 Committee – September 14, 2011: Council Member Oliphant reported on the presentation by Trish Vercoe of Estate Metals, on custom panels for beautification projects. An update was given by Planning Manager Wayne Balmer on the ULI study and the committee discussed and approved the Work Plan for FY11-12 that includes research and development of a façade improvement program; identifying town center parcels depicted in the ASU Capstone project and ULI Study and attracting new businesses. The next meeting is October 12, 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.

Kenneth Barney, Chandler, AZ, announced the Business Expo at Barney Family Sports Complex in conjunction with the Queen Creek Chamber of Commerce and unveiling of

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the largest cartoon map. Mr. Barney also announced the Queen Creek Elementary School reunion on October 22, 2011.

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 August 23, 2011 Queen Creek and Gilbert Joint Meeting Minutes.

B. Consideration and possible approval of the September 7, 2011 Work Study and Regular Session Minutes.

C. Consideration and possible approval of an Intergovernmental Agreement with the Town of Gilbert for fleet maintenance services in the amount not to exceed \$160,000.

D. Consideration and possible approval of a one-year electrical services contract with up to four (4) possible one (1) year renewals with Horine Electrical for electrical services on an as-needed basis.

E. Consideration and possible approval of a one-year contract with Southwest Traffic Engineering for on-call traffic engineering services in an amount not to exceed \$20,000 with up to four (4) possible one (1) year renewals (total possible five (5) year amount not to exceed \$100,000).

Motion to approve the Consent Calendar as presented (Brown/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.

9. Discussion and possible approval of an agreement with the Friends of Horseshoe Park to produce the 2012 Roots N' Boots Queen Creek event.

Assistant Town Manager Patrick Flynn stated that the proposed agreement is a follow-up from the August 3, 2011 Council meeting approval for the Friends of Horseshoe Park

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to put on the 2012 Roots N' Boots event with the Town being a sponsor. He added that approval of the agreement includes a contingency fund transfer in the amount of \$20,000 to be used as seed money and repaid. The agreement also sets out the in-kind contributions, overtime for Horseshoe Park staff time and facility charges.

Recreation Superintendant Adam Robinson was available for questions.

Jon Wootten, representing Friends of Horseshoe Park (FOHP), reported on the actions taken to date to secure the best rates for certain services required for the event; the submittal of the PRCA application and acceptance of application; and sponsor contacts, feedback and commitments. He also reported that progress is being made on securing the carnival vendor and other vendors and cattle.

Adam Trenk, Cave Creek, representing the East Valley Arabian Horse Association (EVAHA), requested the Council deny the Roots N' Boots agreement because of a conflict with the EVAHA event they believed was scheduled for the same weekend. Mr. Trenk stated that the EVAHA has held the Beat the Heat event for the past three years at Horseshoe Park & Equestrian Centre around the first of April and the group believed that they were scheduled and confirmed for March 31 and April 1, 2012 based on a verbal agreement although there was no written contract. Mr. Trenk continued that the EVAHA moved forward to have the event sanctioned based on the verbal agreement. Mr. Trenk further stated that the EVAHA requested a contract for signatures and was told that a conflict may exist but confirmed the date on August 4, 2011. Mr. Trenk acknowledged that he was retained the prior day but it appears that the verbal agreement was in place with representatives of Horseshoe Park staff. He said the EVAHA has no intent to be adversarial and feels a part of the community.

Council asked Mr. Trenk whether consideration had been given to combining the two events. Mr. Trenk responded that the Beat the Heat event requires the entire facility.

Council asked for additional fiscal information from Mr. Wootten. Mr. Wootten responded that the proposed budget had been reviewed by Town staff and appeared to be in the black and he felt confident that the event would break even and the sponsorship money from the Town would be repaid.

Council also asked for clarification on the right to cancel and whether it should be by FOHP only. Town Attorney Bisman responded that the clause is standard contract language. Mr. Robinson added that it allows FOHP the right to cancel but also allows the Town the same right in a worst case scenario. Mr. Wootten stated that FOHP agree with the provisions of the contract.

There was discussion on meetings between EVAHA and staff to find alternative dates or locations but nothing worked for that weekend.

Other discussion was in regard to EVAHA relying on written and verbal correspondence absent a contract; possible alternatives to help EVAHA and ensuring that a written contract was entered into for future dates.

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**Motion to approve the agreement with the Friends of Horseshoe Park (FOHP) and to authorize a \$20,000 payment to FOHP from the Town's Contingency Fund, and to authorize Horseshoe Park & Equestrian Centre staff overtime and subcontracted personnel, which happens as a result of this event, in an amount no greater than \$8,000 to be paid from the Town's Contingency Fund (Benning/Alston)
Vote: 6 -1(Brown)
Motion Passed**

10. Discussion and possible approval of marketing partnership agreements with Schnepf Farms, The Queen Creek Olive Mill and the Barney Family Sports Complex.

Mayor Barney declared a conflict of interest and turned the gavel over to Vice Mayor Brown.

Economic Development Director Doreen Cott discussed the purpose of the proposed marketing agreements to cross promote and market each entity. Ms. Cott stated that the agreements would support the Town's branding initiative and support the Arts, Culture and Experience Sector. She also explained that the three businesses were chosen based on the number of visitors each attracts and unique opportunities provided. Ms. Cott further explained that each business would be responsible to provide their own advertising materials and information.

Council discussed concerns that additional businesses in the Town may request the same advertising consideration. Ms. Cott explained that the agreements clearly set out the expectations and were chosen based on the number of visitors. She said the Town would encourage other businesses to participate in the Shop Queen Creek program. Council also asked what the cost to the Town would be for the program. Ms. Cott responded that only staff time for website/social media updates would be required. Other questions were related to Town oversight on signage and term length of the agreements and Queen Creek Chamber of Commerce involvement. Ms. Cott stated the Town would retain oversight for signage and each agreement would be for an initial one-year period. There was also discussion on a "community calendar".

Motion to approve the marketing partnership agreements with Schnepf Farms, The Queen Creek Olive Mill and the Barney Family Sports Complex (Oliphant/Benning)

There was further discussion and comments regarding sponsoring and promoting events. Ms. Cott explained that the agreements were not sponsorships but an overall promotion of specific events including banner placement at the standard locations, on a first come-first serve basis with the Town having priority for Town sponsored events.

Vote: Unanimous

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11. Discussion and possible authorization to staff to issue the Request for Proposals (RFP) for the design, development and management of a mixed-use entertainment district on 17 acres in the Town Center.

Assistant Town Manager Patrick Flynn reported the Town took title to the 17-acres located east of Ellsworth Loop Rd & south of Rittenhouse in July 2011 because the property owner failed to pay the improvement district assessments.

Economic Development Director Doreen Cott explained the purpose for issuing a Request for Proposals (RFP) for the 17-acres as a public/private partnership to develop an entertainment district. She pointed out that the original conceptual design for Queen Creek Marketplace Phase 2 included a movie theatre.

Ms. Cott reviewed the recommendation for a two-phase RFP process: 1) issue a Request for Qualifications – to ensure the most viable developers are considered for a short list and 2) review of detailed project proposals from the short list of developers from Phase 1. Ms. Cott said the review team will consist of representatives from the Economic Development Department, Development Services Department, Finance and Town Manager's office as well as representatives from the Town Center Committee and Economic Development Commission. Ms. Cott asked whether the Council would like to have a representative on the review team and whether a presentation from the finalists be given at a Council meeting. Council Member Barnes stated that he would like to be on the review team and a presentation to the Council from the two or three proposals.

There was additional discussion on whether a Council representative on the review team was necessary; support for presentations on the top two or three proposals and the possibility of requiring a movie theatre in every proposal and be identified as a priority. Council asked whether the review would be a public meeting. Town Attorney Bisman explained that the review meetings would not be subject to open meeting laws.

How public input would be gathered was discussed. Ms. Cott said the review team would include residents and a final presentation would be made at a Council meeting where the public could provide comments and reviewed the timeline for final approval by Council of a proposal. Council requested that a public presentation such as an open house or presentation prior to a Council meeting would be beneficial.

Council briefly discussed the list of incentives in the RFP. Ms. Cott explained that they were listed as possible incentives that could be considered but it would be up to the developer to request and Council to approve any.

Motion to authorize staff to issue the Request for Proposals (RFP) for the design, development and management of a mixed-use entertainment district on 17-acres in Town Center (Barnes/Wheatley)

Council asked whether the motion needed to include a statement about a public presentation. Assistant Town Manager Flynn suggested that an open house be held in January 2012 and asked for clarification whether the RFP requires a movie theatre must

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be included in a proposal, explaining that some proposals could be excluded from review if a theatre was not included.

Vote: 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.

12. Presentation and discussion on the Urban Land Institute preliminary findings and recommendations and the ASU Graduate Student Capstone project.

Planning Manager Wayne Balmer reviewed the major findings in the Urban Land Institute (ULI) Study covering financial, land use, transportation, brand & identity and the Town Center. Mr. Balmer also reviewed the ASU Capstone Project findings in the areas of developing an entertainment district, developing a multi-use/office project, hospitality, heritage district, transit/circulation and open space. The Capstone Project also identified the priority level of the findings.

Council asked if there was any consideration being given to change the Town Center. Mr. Balmer stated the focus of any changes to the Town Center plan would be on undeveloped areas.

13. 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 reconvene to Executive Session at 9:38pm (Brown/Benning/Unanimous)

14. Adjournment

Motion to adjourn the Regular Session at 10:50pm (Barnes/Alston/Unanimous)

TOWN OF QUEEN CREEK

Gail Barney, Mayor

Attest:

Jennifer F. Robinson, MMC

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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 21, 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 November 2, 2011.