



**Minutes**  
**Regular Session**  
**Queen Creek Town Council**  
Queen Creek Town Hall, 22350 S. Ellsworth Road  
Council Chambers  
August 16, 2006  
7:00 p.m.

**1. Call to Order**

The meeting was called to order at 7:06 p.m.

**2. Roll Call**

Council Members present: Barney, Coletto-Cohen, Hildebrandt, Mortensen, Wootten, Vice Mayor Valenzuela and Mayor Sanders.

**3. Pledge of Allegiance**

Led by Mayor Sanders.

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

Maricopa County Board of Supervisor Don Stapley was recognized.

The Communications and Marketing Department was recognized for the design and set-up of the League Booth.

**5. 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.

Tom Murch, 18622 E. Via de Arboles, submitted written comments regarding parks.

Mica McGribbs, representing the Queen Creek Youth Commission, gave a report on the August 2, 2006 Commission meeting.

**6. Consent Calendar:** Matters listed under the Consent Calendar are considered to be routine and will be enacted by one motion and one vote. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Calendar and will be considered separately.

A. Consideration and possible approval of the May 24, 2006 Special Session Minutes.

B. Consideration and possible approval of the August 2, 2006 Work Study and Regular Session Minutes.

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C. Consideration and possible approval of purchases over \$10,000.

D. Consideration and possible approval of line item budget reallocations.

E. Consideration and possible approval of **SP05-016** “LAM at Inverness Industrial Park” a request from Gary King of KDA Architecture on behalf of Frank Mirallegro for site plan, landscape plan and building elevation approval. The LAM Development is an industrial development consisting of four buildings totaling approximately 54,600 square feet of building area. The property is zoned I-1 Office/Industrial Park and located in the Inverness Industrial Park, south of Ocotillo Road approximately ¼ mile east of Crismon Road.

F. Consideration and possible approval of **DR06-044** “Cresleigh Homes at Hastings Farms B” a request from Perlman Architects for Design Review approval of eight (8) floor plans with three (3) elevations each to be built on a total of 168 lots on approximately 38.6 acres zoned R-2. The property is located east of Chandler Heights and Ellsworth Roads, north of the Chandler Height Road alignment.

G. Consideration and possible approval of **Resolution 605-06** authorizing the purchase agreement for real property from Kwei Chung & May Yan Tong (Assessor’s Parcel #304-67-026B) for the Municipal Town Center Master Plan.

H. Consideration and possible approval of a **Resolution 606-06** authorizing the purchase agreement for real property from Brandon & Wendy Joniatis (Assessor’s Parcel #304-67-010K) for the Municipal Town Center Master Plan.

I. Consideration and possible approval of **Resolution 607-06** authorizing the purchase agreement for real property from RLA-998 Venture III , LLC (Assessor’s Parcel #304-66-428) for Ellsworth Loop Road Project right-of-way.

J. Consideration and possible approval of the “Covenant and Agreement to Hold Property as One Parcel”, a request by Ben Franklin Charter School Ltd. The project is located on the east side of Power Road between Ocotillo and Chandler Heights Roads.

K. Consideration and possible approval of the “Map of Dedication” for a portion of Power Road and 186<sup>th</sup> Street, a request by Ben Franklin Charter School Ltd. The project is located on the east side of Power Road between Ocotillo and Chandler Heights Roads.

L. Consideration and possible approval of the “Map of Dedication for Ocotillo Road Church Subdivision” for the Desert Wells LDS Church, a request by Terry F. Rudd as authorized agent for the Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter Day Saints. The project is located north of Ocotillo Road between Hawes and Sossaman Roads.

M. Consideration and possible approval of amending the Cable America Corporation Cable License Agreement as proposed and directing staff to negotiate a transfer of the amended agreement to Cox Communications.

N. Consideration and possible approval of the reappointment of three Planning and Zoning Commissioners to serve an additional three year term.



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**Motion:** Hildebrandt

**Second:** Valenzuela

To approve Item O.

**Vote:** Unanimous

**Item Q:** Special Transportation Project Manager Schaner reviewed the staff report and stated that the MCDOT has been working with the Town to annex and take over county right-of-way within the Town limits. Council asked for additional information on maintenance requirements. Mr. Schaner explained that the Town would be responsible for maintenance of the right-of-way would also include signs, and shoulders. He also added that MCDOT put a 2" overlay on five miles of arterial roadway within the last year.

**Motion:** Mortensen

**Second:** Valenzuela

To approve Item Q as presented.

**Vote:** 6- aye

1 – nay (Coletto-Cohen)

**Motion Passed.**

**PUBLIC HEARINGS AND FINAL ACTION:** If you wish to speak to the Council on an item listed as a Public Hearing or 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.

**7. Presentation** on Green Building and LEED Certification.

Charlie Popeck, representing the Arizona Chapter of LEED, presented information on the Green Building Council and LEED. Mr. Popeck discussed the characteristics of "Green Building".

**8. Public Hearing** on **RZ06-008/SD06-009** (Ordinance 363-06) "Paseo de Pecans" a request by Tom Stapley for Arroyo Pecans Partners, LLC, for a rezoning, planned area development, preliminary plat and landscape plan approval for a 17-lot subdivision on approximately 13 acres. The property is currently zoned R1-35 and proposes a planned area development with underlying zoning of R1-18. The property is located at the southeast corner of Hawes and Chandler Heights Roads.

Planner McCauley reviewed the direction given by Council at the August 2, 2006 Council Meeting to work with the applicant on tree maintenance requirements. Mr. McCauley reviewed the proposed changes to the ordinance in regard to the tree maintenance and the revised stipulation regarding fencing requirements. Council discussed the deviation between 33% and 50% openness and the current fence standards and pool fencing issues.

The Public Hearing was opened. No one came forth and the Public Hearing was opened.

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**9. Discussion and possible action on Ordinance 363-06 (RZ06-008/SD06-009).**

Council requested that Stipulation 15 include a statement that animals and livestock may be housed on the site.

**Motion:** Valenzuela

**Second:** Mortensen

To approve Ordinance 363-06 (RZ06-008/SD06-009) with the recommended stipulations and the amended stipulation #15 as discussed.

**Vote:** Unanimous

**10. Public Hearing on RZ06-023/SP06-024 (Ordinance 364-06)** “Sossaman Estates Community Center” a request by Kert Anderson on behalf of Engle Homes for site plan, landscape plan and building elevation approval with a Planned Area Development to allow for a 27,800 square foot community center/recreation building for residents. The project is located within Sossaman Estates Phase III, Phase B subdivision at the southwest corner of Queen Creek and Sossaman Roads.

Planning Manager Brittingham reviewed the site plan and stated that the applicant is in agreement with the 40’ height limit (Stipulation 14). Council asked if there was a design impact on the height reduction. Mr. Brittingham stated that the elevations had already been revised.

The Public Hearing was opened.

Sasha Loper, 21487 S. 184<sup>th</sup> St., asked if the HOA fees would increase for existing residents of Sossaman Estates.

Staff responded that HOA fees paid by residents of Phase III would apply to the Community Center.

The Public Hearing was closed.

**11. Discussion and possible action on Ordinance 364-06 (RZ06-023/SP06-024).**

**Motion:** Valenzuela

**Second:** Hildebrandt

To approve Ordinance 364-06 (RZ06-023/SP06-024) with recommended stipulations.

**Vote:** Unanimous

**12. Discussion and possible action on Resolution 608-06** providing for the sale and issuance of not to exceed \$57,000,000 aggregate principal amount of Town of Queen Creek, Arizona Improvement District No. 001 Improvement Bonds; prescribing certain terms and conditions of the bonds including the delegation to the Manager of the Town of Queen Creek, Arizona of the authority to determine certain matters with respect to the bonds; making certain findings, certifications and covenants with respect to the bonds; approving certain agreements with respect to the bonds and authorizing the Mayor or Vice Mayor of the Town to execute and deliver such

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agreements; approving all actions taken with respect to the preparation and distribution of a preliminary official statement with respect to the bonds; delegating to such Manager the authority to approve a form of official statement with respect to the bonds, authorizing the Mayor or Vice Mayor of the Town to execute such official statement and authorizing distribution of such official statement; ratifying all actions taken to further the resolution and authorizing the taking of all other actions necessary to the consummation of the transactions contemplated by the resolution and declaring an emergency.

Special Transportation Project Manager Schaner stated that the resolution would authorize the Town Manager, Mayor and Vice Mayor to authorize the sale of the bonds for the Improvement District.

**Motion:** Mortensen

**Second:** Wootten

To approve Resolution 608-06.

**Vote:** Unanimous

The meeting was recessed from 8:25-8:35pm.

**13. Discussion and possible action** on support of resolutions to be considered by the League of Arizona Cities and Towns Resolutions Committee.

Intergovernmental Liaison Young highlighted several League Resolutions (#10 & #20). Council requested that the Town also support Resolution #14 in regard to nomination petition signatures.

**Motion:** Barney

**Second:** Hildebrandt

To support the League Resolutions as recommended, including #14.

**Vote:** Unanimous

**14. Discussion and possible action** Marketing & Communications Outreach Programs.

Director of Communications & Marketing Thomas gave an overview of the functions of the Communications and Marketing Division. The overview included the Community Outreach Programs, Special Events, Media Relations and Exhibits for various events. Council asked additional questions regarding the new website and televising Council meetings. There was also discussion on creating a Town "identity" or "brand". Ms. Thomas also presented the proposed schedule for upcoming events and programs and schedule for Council Members attendance (Citizen Leadership). Council requested that Citizen Leadership include residents in the Town's Planning Area and asked for information on past attendance and costs for providing materials. There was also discussion on a Volunteer Recognition event; Town Hall program; meals with the Mayor/Council and including social service groups in Town events. Staff also requested direction on whether Council would like to have a special message to residents either in the monthly newsletter, website or cable channel; Volunteer of the Year recognition categories and International Visitor programs.

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Silvia Centoz, 26226 S. Hawes Rd., submitted written comments.

Shona Granillo, 42457 N. Suburban Ave, submitted written comments.

**15. Discussion and possible action** on establishing policies and procedures for Town Committees.

Interim Town Manager Kross as a follow-up from the July 25 Council Retreat, requested additional direction from the Council on establishing overall policies and procedures, including by-laws for committees. Mr. Kross presented the following issues for consideration: maximum roster, resident vs. non-resident; voting privileges; attendance requirements; and codified vs. non-codified. Council discussed codifying committees that may direct or decide on buildings, programs or spending the Town's resources. Discussion was also in regard to allowing non-committee members to participate in committee meetings.

**Motion:** Hildebrandt

**Second:** Mortensen

To continue discussion and action on this issue to the September 6, 2006 meeting.

**Vote:** Unanimous

**16. Discussion and possible action** on **Ordinance 360-06** dismantling Town Code Chapter 15, Article 15-3 Parks, Trails and Open Space Committee, including six sections, 15-3-1, Establishment; 15-3-2, Powers & Duties; 15-3-3, Membership; 15-3-4, Organization/Meetings; 15-3-5, Compensation and 15-3-6, Removal of Office; filling of vacancies.

**Motion:** Hildebrandt

**Second:** Mortensen

To continue discussion and action on this issue to the September 6, 2006 meeting.

**Vote:** Unanimous

**17. Discussion and possible action** on establishing the Parks, Trails and Open Space Committee (a non-codified committee), including but not limited to roster, residency, attendance and quorum requirements.

**Motion:** Hildebrandt

**Second:** Mortensen

To continue discussion and action on this issue to the September 6, 2006 meeting.

**Vote:** Unanimous

**18. Discussion and possible action** on amending Town Code Chapter 15, Parks and Recreation, Article 15-3, Parks, Trails and Open Space Committee Section 15-3-2, Powers & Duties and Section 15-3-3, Membership, and directing staff to create an ordinance for future adoption.

**Motion:** Hildebrandt

**Second:** Mortensen

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To continue discussion and action on this issue to the September 6, 2006 meeting.

**Vote:** Unanimous

**19. Discussion and possible action** on a request by Pinal County for comments on a rezoning and site plan for a self storage facility with RV storage project (PZ-PD-028-06) located on the north side of Hunt Highway west of Trica Road.

Planning Manager Brittingham reviewed the proposed site plan and staff's comments/concerns. Council discussed the need for planning the Hunt Corridor.

Council directed staff to send a letter.

**20. Discussion and possible action** on a request by Pinal County for comments on a preliminary plat for Shea Homes at Johnson Farms (S-026-06) located on the south side of Combs Road east of Gantzel Road.

Planning Manager Brittingham reviewed the preliminary plat and staff's comments/concerns. Discussion was in regard to adequate improvements on Combs and Gantzel Roads.

Council directed staff to send a letter.

**21. Discussion and possible action** on a request by Pinal County for comments on a Special Use Permit for a feed store (SUP-007-06) located on the south side of Ocotillo Road east of Meridian Road.

Planning Manager Brittingham reviewed the Special Use Permit application and staff's comments/concerns. Council discussed commercial uses in an approved platted subdivision and commented that the proposed improvements may not be sufficient.

Council directed staff to send a letter.

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

**22. Discussion on SD06-005** "Queen Creek Marketplace Preliminary Plat" a request by Marc Grayson of Vestar Development for preliminary plat approval of Phase I of Queen Creek Marketplace, a commercial subdivision incorporating 27 lots on approximately 90 acres. The site is zoned as a Planned Area Development (PAD) with underlying zoning of C-2 General Commercial. Phase I of Queen Creek Marketplace is located south of Rittenhouse Road and directly west of the proposed Ellsworth Loop Road.

Planning Manager Brittingham reviewed the Phasing Plan for Queen Creek Marketplace. He stated that the applicant is planning to submit construction drawings early September 2006. Mr. Brittingham also explained that the interior loop road was changed to a "tract" in order to provide interior road access to all parcels as required.



**23. COMMITTEE REPORTS**

A. Queen Creek Youth Commission – August 2, 2006 (report given at Public Comment)

B. Transportation Advisory Committee – August 10, 2006

The committee discussed Valley Metro; naming Ellsworth Loop Road and street sign requirements.

**Motion:** Barney

**Second:** Wootten

To reconvene to Executive Session at 10:35 pm.

**24. ADJOURNMENT**

**Motion:** Valenzuela

**Second:** Wootten

To adjourn the Regular Session at 10:56 pm.

**Vote:** Unanimous

Jennifer F. Robinson, CMC

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TOWN OF QUEEN CREEK

Arthur M. Sanders, Mayor

Attest:

Jennifer F. Robinson, CMC

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 August 16, 2006 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, CMC

Passed and approved on September 6, 2006.