



**Minutes**  
**Regular Session**  
**Queen Creek Town Council**  
Queen Creek Town Hall, 22350 S. Ellsworth Road  
Council Chambers  
September 6, 2006  
7:00 p.m.

**1. Call to Order**

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

**2. Roll Call**

Council Members present: Barney; Hildebrandt; Mortensen; Wootten and Vice Mayor Valenzuela. Council Member Coletto-Cohen was out of Town and Mayor Sanders was attending a family function.

**3. Pledge of Allegiance**

Led by Vice Mayor Valenzuela

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

A. Student of the Month – August 2006 – Vice Mayor Valenzuela and Council Member Wootten presented the following with the Student of the Month Award for August 2006:

Colin Hendricks – Queen Creek High School  
Zachary Glaess – Queen Creek Elementary School  
Natalie Workman – Queen Creek Middle School  
Nadia Hunt – Jack Barnes Elementary School  
Sydney Hamblin – Desert Mountain Elementary School  
Paige Biggs – Frances Brandon Pickett Elementary School

B. Proclamation – Commemoration of September 11, 2001 – Council Member Hildebrandt read the Proclamation and asked for a moment of silence.

C. Proclamation – Celebrating Kid’s Day – Council Member Mortensen read the Proclamation.

D. Presentation of gift to the Town of Queen Creek – continued to future meeting.

**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.

Omar Reyes, representing the Queen Creek Youth Commission, gave a report on the August 16, 2006 Commission meeting at which officers were elected and upcoming events were discussed.

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**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 August 16, 2006 Work Study and Regular Session Minutes.

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

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

D. Consideration and possible approval of the participant agreement for the Land and Water Conservation Fund and authorizing payment of LWCF Surcharge in the amount of \$93,500 in regard to Horseshoe Park.

E. Consideration and possible approval of revisions to Policy Statement 1, under Employee Policy Administration within the Town of Queen Creek Employee Policies and Procedures Handbook.

F. Consideration and possible approval of an agreement with Fulton Homes pertaining to infrastructure commitments towards the Town's Capital Improvement Program.

G. Consideration and possible approval of **Resolution 599-06** amending the Wastewater Service Map for the Town of Queen Creek.

H. Consideration and possible approval of an annual contract between the Queen Creek Chamber of Commerce and the Town of Queen Creek in the amount of \$65,000.

I. Consideration and possible approval of the proposed team approach facilitated by Salt River Project (SRP) to develop an effective Community Economic Development Strategy.

J. Consideration and possible approval of the recommended Economic Development Commission Members and Stakeholders to be included in the Economic Development Strategic Plan update.

K. Consideration and possible approval of a contract with Economists.com (Dan Jackson, Principal) in the amount of \$15,000 for the purpose of providing feasibility, financial and acquisition analysis consulting services related to the Queen Creek Water Company.

L. Consideration and possible approval of **Resolution 609-06** giving approval to Junior Achievement of Arizona, Inc., to apply for grant funding from the Gila River Indian Community.

M. Consideration and possible approval of the award of a Professional Services Contract with Willdan in the amount not to exceed \$10,000 for technician services related to the Town's addressing program.

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N. Consideration and possible approval of a Change Order to the Contract with EPS Engineering in the amount of \$106,358 for Stage II environmental services on the Riggs Road design project.

O. Consideration and possible approval of the acceptance of public improvements at Rittenhouse Road Realignment Phase 2 at Marketplace project and to begin the one-year warranty period.

P. Consideration and possible approval of a design contract with EPS Engineering in the amount of \$175,000 for Ellsworth Road between Cloud Road and the Queen Creek Wash.

Q. Consideration and possible approval of **Ordinance 365-06** amending Town Code Section Chapter 3, Section 3-1-1 to provide that the Town Clerk be appointed by the Town Council.

R. Consideration and possible approval of an award of contract to Hunter Contracting Co., in the amount of \$2,948,433 for the construction of the Ocotillo – Meridian Road Project.

S. Consideration and possible approval of a consulting contract with PBS&J in the amount of \$15,467 for an analysis of the proposed General Plan Amendments relative to the Town's Wastewater System.

T. Consideration and possible approval of granting an easement to SRP for underground power in regard to the new bridge over Sonoqui Wash on Chandler Heights Road.

U. Consideration and possible approval of an additional appointment to the Transportation Advisory Committee.

V. Consideration and possible approval of the April, May and June 2006 Financial Statements.

Council requested Items C, F, H, I and J removed for discussion.

**Motion:** Barney

**Second:** Wootten

To approve the remainder of the Consent Calendar as presented.

**Vote:** Unanimous

Item C: Council discussed the reallocation for Sr. Administrative Assistant for Town Council. Staff stated that the position would provide support services to the Mayor & Council. There was additional discussion on whether a full-time position was necessary at this time.

**Motion:** Mortensen

**Second:** Barney

To continue Reallocation Items 8 & 11 regarding Town Council Sr. Administrative Assistant to the next meeting, and approve all other reallocation requests as presented in the staff report (1-7; 9 & 10).

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Item F: Council requested clarification on when the donation would be received. Interim Town Manager Kross explained that it was dependent upon actions by other agencies. Mr. Kross also stated the agreement included in the staff report needed to be amended to reflect approval by both agencies was necessary.

**Motion:** Wootten

**Second:** Hildebrandt

To approve Item F with amendments as discussed.

**Vote:** Unanimous

Item H: Council commended the Chamber of Commerce on their work, and asked for a quarterly budget report submitted to the Council.

**Motion:** Wootten

**Second:** Mortensen

To approve Item H with the amendment to Section II, #2 requiring quarterly reports be presented to the Town Council at a Council Meeting.

**Vote:** Unanimous

Item I: Council discussed the revision of the current Economic Development Strategy and appreciation to SRP for facilitating the process.

**Motion:** Mortensen

**Second:** Hildebrandt

To approve Item I as presented.

**Vote:** Unanimous

Item J:

**Motion:** Mortensen

**Second:** Barney

To approve Item J as presented.

**Vote:** Unanimous

**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. Public Hearing** on Annexation 034-06 – Ocotillo and Signal Butte Roads.

GIS Manager Shawny Ekadis reviewed the annexation schedule and stated that the property owner is currently processing a rezoning and preliminary plat application.

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

**8. Public Hearing** on Annexation 035-06 – Ellsworth and Cloud Roads.

GIS Manager Shawny Ekadis reviewed the staff report, explaining that the annexation would correct previous right-of-way from incorporation and that this annexation was a part of the Hastings Farms project.

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

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

Interim Town Manager Kross reviewed recommendations for creating standard by-laws applicable to all Town committees. Council asked how standard by-laws would apply to the Planning and Zoning Commission and Board of Adjustment. Mr. Kross explained the State Statutes that govern those particular commissions/boards. Council discussed amending Section VI – Committees – General Qualifications of Members - by add “non-excused regular meetings” and Section II – Membership – a requirement prohibiting serving on more than one committee at a time. Council also discussed residency requirements and participation by non-committee members. Further discussion was in regard to removal from committee; appointing citizens as Chair & Vice Chair and including the Town Council Goal of maximizing public involvement.

**Motion:** Mortensen

**Second:** Hildebrandt

To draft a policy with amendments as discussed and present to Council on September 20, 2006.

**Vote:** Unanimous

**10. Discussion and possible action** on **Ordinance 360-06** disbanding 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.

Interim Town Manager Kross explained that approval of Ordinance 360-06 would delete a portion of the Town Code and the current Parks, Trails and Open Space Committee. There was discussion in regard to how proposed by-laws, if approved, would apply to committees, including resident vs. non-resident committee membership and appointments. Management Assistant Troy White provided additional information on by-laws vs. codified committees.

**Motion:** Mortensen

**Second:** Wootten

To continue to September 20, 2006.

**Vote:** 3 – 2 (Hildebrandt & Valenzuela)

**Motion Passed.**

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**11. 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:** Mortensen

**Second:** Wootten

To continue to September 20, 2006.

**Vote:** Unanimous

**12. Discussion and possible action** on **Ordinance 366-06** amending Town Code Chapter 15, Parks and Recreation, Article 15-3, Parks, Trails and Open Space Committee Section 15-3-3, Membership and adding a Vice-Chair.

**Motion:** Mortensen

**Second:** Wootten

To continue to September 20, 2006.

**Vote:** Unanimous

**13. Discussion and possible action** on the approval of the naming of the new Improvement District Road.

Dick Schaner, Special Transportation Project Manager reviewed the street naming policy and the Transportation Advisory Committee's recommendation of street names for consideration. Council discussed other street names as well as the importance of keeping "Ellsworth" in the name.

(Motion by Valenzuela to name road "Veteran's Loop Rd" died for lack of Second)

**Motion:** Mortensen

**Second:** Hildebrandt

To approve "Ellsworth Loop Road" as the name for the new Improvement District Road.

**Vote:** Unanimous

**14. Discussion and possible action** on the adoption of a Sister City Program and Town Council Goal.

Director of Information and Marketing DeeAnne Thomas, asked Council if there were any additional questions from the Work Study Session discussion.

Silvia Centoz, 26226 S. Hawes Rd., President of Queen Creek Sister Cities, stated she had concerns with the proposal to have a Town liaison. She also said that communication with a Sister City could be done through the Mayor or Vice Mayor.

Ms. Thomas asked for clarification on who should be the Town's contact for the Sister Cities program.

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Council Member Hildebrandt provided information on the People to People Program, which later became the Sister Cities Program and presented a revised proposal for the Queen Creek's Sister City Program. Council discussed having the program be community centered as well as concerns that Council goals would be controlled by outside parties. There was also discussion on current funding for the program and it was recommended that the Queen Creek Sister Cities Commission request monetary funding in the same manner as other non-profits.

**Motion:** Valenzuela

**Second:** Hildebrandt

To approve the proposed Sister City Program as submitted by Council Member Hildebrandt.

**Vote:** Unanimous

**15. Discussion and possible action** on Town support to the Queen Creek Sheriff's Posse.

Public Safety Division Manager Joe LaFortune gave an overview of the MCSO Posse Program including duties, operations (programs), membership qualifications and training requirements. Mr. LaFortune also provided information on how Posse's receive funding through community fundraising events and donations and a brief review of Town funding/donations to the Queen Creek Crime Prevention Posse including monthly donations and vehicle purchase. Mr. LaFortune stated that the Posse doesn't currently provide monthly statistics or submit requests for donations. Lt. Shepherd provided additional information on how MCSO Posse's operations in Maricopa County. Council discussed providing the Queen Creek Crime Prevention Posse with assistance in purchasing additional vehicles and funding and receiving monthly status reports.

Council recommended providing assistance to the Posse with a vehicle donation, possibly purchased through the Sun City Posse auction, and increased monthly funding and directed staff to bring back to Council for approval at a future meeting.

**16. Discussion and possible action** on a request by Maricopa County for comments on a special use permit for a commercial feed and tack store, Case No. Z2006075 "Horse and More Country Store", located on the south side of Riggs Road approximately 275 east of Hawes Road.

Planning Manager Brittingham reviewed the application submitted to Maricopa County for a commercial feed and tack store. Mr. Brittingham discussed staff's concerns regarding increased traffic on Riggs Road and impact on existing residences from a commercial operation. There was discussion on commercial uses in platted subdivisions and future commercial developments along Riggs Road.

Council directed staff to send a letter to Maricopa County with the concerns as discussed.

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

**17. Discussion** on **SP06-017** "UASA Office Building" a request by David Combs of Fifer Design Studio on behalf of Shashi Kapur for site plan, landscape plan and building elevation

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plan approval with a Planned Area Development for a reduction in buffer yards along the eastern property line for UASA Office Building. The proposal consists of an approximate 20,049 square foot medical building on a site with existing Town Center (TC) zoning. The project is located southwest of the southwest corner of Ocotillo and Ellsworth Roads.

Planner Valerie Chambers reviewed the site plan, landscape plan and building elevations. Ms. Chambers also stated that the applicant is requesting a PAD to reduce the 25-foot bufferyard south of future right-of-way on the eastern property line. Planning and Zoning recommended approval with stipulations. Council asked if concerns regarding access were addressed. Staff responded that they were included in the stipulations.

**18. Discussion on RZ04-06/D06-06** “Broadland Estates” a request from Jack Hudson of Broadland Properties to rezone approximately 121 acres from R1-43 Single Family Residential to R1-35 Single Family Residential and preliminary plat and landscape plan approval of a 93-lot residential subdivision located at the northwest corner of Riggs and Hawes Roads.

Planner Valerie Chambers reviewed the rezoning request, preliminary plat and landscape plan. Ms. Chambers stated that the project is consistent with the General Plan designation of low-density and is consistent with adjacent subdivisions. The Planning and Zoning Commission recommended approval with the stipulations included in the staff report. Council asked for additional information regarding PAD requests of the adjacent subdivisions. Ms. Chambers stated the PAD requests were in regard to minimum lot size and fencing. Council discussed concerns regarding whether the homeowners would be allowed to keep livestock or other animals on the lots and discussed the possibility of an additional stipulation that would allow the temporary keeping of livestock for purposes such as 4-H. Staff explained zoning ordinance requirements and consistency with the General Plan. Council also asked for clarification about the Sonokai Wash dedication.

**19. Discussion on SP06-076** “Retail Building at Queen Creek Village Center” a request from Gary Untermeyer of DPA Architects on behalf of Chuck Sorenson of QCSC, LLC for site plan and building elevation approval for a retail building at Queen Creek Village Center. The proposal consists of 5,942 square feet of commercial use on a site with existing Town Center (TC) zoning. The project is located north of the northeast corner of Ocotillo and Ellsworth Roads, Lot 4 of the Queen Creek Village Center.

Planner Valerie Chambers reviewed the site plan and building elevations.

**20. Discussion on SD06-059** “Cornerstone at Queen Creek” a request by Ralph Pew of Pew & Lake, PLC, on behalf of Westcor Corporation for preliminary plat approval for Cornerstone At Queen Creek. The commercial plat consists of 68 acres with 13 lots and 3 parcels. The property is a Planned Area Development (PAD) with underlying zoning of C-2 General Commercial and R-4 Residential Multi-Family. The project is located in the vicinity of the northeast corner of Ocotillo and Ellsworth Roads and adjoining the southern right-of-way of Rittenhouse Road.

Principal Planner Michael McCauley reviewed the preliminary plat as part of the previously approved masterplan. Mr. McCauley stated that all subdivision requirements had been met and



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the Planning and Zoning Commission recommended approval with the stipulations as listed in the staff report. Council asked for clarification of the orientation of the large building. Mr. McCauley stated that the rear of the building is along Rittenhouse Road.

**21. Overview** of newly enacted laws from the last legislative session.

Town Attorney Bisman gave an overview of new laws affecting cities & towns including website posting requirements; public records ombudsman; protection of personal identification; school site donations; earth fissure maps; and annexations.

**22. Discussion** on Volunteer Services Program.

Discussion took place during Work Study Session.

**23. Discussion** on the status of the Wastewater Capital Improvement Program (CIP).

This item was removed from the agenda and no discussion was necessary.

**24. COMMITTEE REPORTS**

A. Queen Creek Youth Commission – August 16, 2006 (Report given under Public Comment)

B. Recreation Advisory Board – August 22, 2006 – The Board heard Department updates; discussed Horseshoe Park; User Fee Philosophy and program cost recovery; sports field allocations and scholarship program. The next meeting is September 26.

C. San Tan Foothill Area Specific Plan TAC – August 31, 2006 – The Committee discussed a vision statement and focus areas. There will be a “Solutions Forum” on October 17, 2006 at Calvary Chapel.

**25. ADJOURNMENT**

**Motion:** Barney

**Second:** Wootten

To adjourn the Regular Session at 10:34 pm.

**Vote:** Unanimous

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TOWN OF QUEEN CREEK

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Arthur M. Sanders, Mayor

Attest:

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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 September 6, 2006 Regular Session of the Queen Creek Town Council. I further certify that the meeting was duly called and that a quorum was present.

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Jennifer F. Robinson, CMC

Passed and approved on September 20, 2006.