



Minutes
Regular Session
Queen Creek Town Council
Queen Creek Town Hall, 22350 S. Ellsworth Road
Council Chambers
September 20, 2006
7:00 p.m.

1. Call to Order

The meeting was called to order 7:05 pm.

2. Roll Call

Council Members present: Barney; Coletto-Cohen; Hildebrandt; Wootten; Vice Mayor Valenzuela and Mayor Sanders. Council Member Mortensen arrived at 9:00 pm.

3. Pledge of Allegiance

Led by Mayor Sanders.

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

A. Five-Year Service Award – continued

B. Proclamation – Desert Cancer Foundation of Arizona Awareness Month – Carol Weishaar, Mary Ellen and Jerry Crane, representing the Desert Cancer Foundation were in attendance

C. Proclamation – A Week without Violence

D. Presentation to Senator Jay Tibshraeny, Representative Warde Nichols and Representative Steve Yarborough – Senator Tibshraeny and Representative Nichols were presented with awards in appreciation of securing a \$1,105,000 appropriation for improvements to Williams Gateway Airport, including intersection improvements that provide access into and out of Queen Creek. Representative Yarborough was unable to attend.

E. Presentation of gift to the Town of Queen Creek – Sylvia Centoz presented the Town with a coat/hat rack as a symbol of community cooperation.

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.

Sylvia Centoz, 26226 S. Hawes Rd., shared information on subsidence she learned while visiting Queen Creek Sister City Jesus Maria.

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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 September 6, 2006 Work Study and Regular Session Minutes.

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

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

D. Consideration and possible approval of the final acceptance of public improvements and to begin the one year warranty period for Emperor Estates Phase III.

E. Consideration and possible approval of the final acceptance of public improvements and to begin the one year warranty period for Germann Road ½ road improvements from 188th Street to Power Road.

F. Consideration and possible approval of the final acceptance of public improvements and to begin the one year warranty period for Langley Gateway Estates II Phase 2 and all Offsite Improvements.

G. Consideration and possible approval of **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.

H. Consideration and possible approval of **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.

I. Consideration and possible approval of **SD06-005** “Queen Creek MP Preliminary Plat” a request by Marc Grayson of Vestar Development for preliminary plat approval of Phase 1 of Queen Creek MP, a commercial subdivision incorporating 23 lots on approximately 90 acres. This site is zoned Planned Area Development (PAD) with an underlying zoning of C-2 General Commercial. Phase 1 is located south of Rittenhouse Road and directly east of the proposed Ellsworth Loop Road.

J. Consideration and possible approval of the “Map of Dedication for Cloud Road” for the Hastings Farms project, a request by Thomas Hickox of Queen Creek Joint Venture, LLC.

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The dedication is on Cloud Road from Ellsworth Road to approximately 755 east of Crismon Road.

K. Consideration and possible approval of the “Map of Dedication for Ellsworth Road” for the Hastings Farms project, a request by Thomas Hickox of Queen Creek Joint Venture, LLC and Wade Kempton of Cresleigh Homes Arizona, Inc. The dedication is on Ellsworth Road from Cloud Road to the Queen Creek Wash.

L. Consideration and possible approval of the “Map of Dedication for Queen Creek Wash” a request by Thomas Hickox of Queen Creek Joint Venture, LLC and Wade Kempton of Cresleigh Homes Arizona, Inc., to dedicate a portion of the Queen Creek Wash to the Town of Queen Creek in conjunction with the Hastings Farms project.

M. Consideration and possible approval of the “Map of Dedication for Trail” a request by Thomas Hickox of Queen Creek Joint Venture, LLC and Wade Kempton of Cresleigh Homes Arizona, Inc., to dedicate a trail to the Town of Queen Creek adjacent to the Queen Creek Wash in conjunction with the Hastings Farms project.

N. Consideration and possible approval of a profession services contract in the amount not to exceed \$65,000 with Community Planning Services, LLC, to provide assistance to various Divisions within the Community Development Department.

O. Consideration and possible approval of fiber and conduit standards for telecommunication infrastructure.

P. Consideration and possible approval of contributing \$1,250 towards the Arizona League of Cities and Towns annual voluntary assessment for policy and legal projects.

Q. Consideration and possible approval of an employment contract with Jennifer Robinson, Town Clerk.

R. Consideration and possible approval of the use of SRP Aesthetic Funding in the amount of \$124,800 for 12kV underground conversion of approximately 300 feet of existing overhead 12kV power lines along the east side of Ellsworth Road, crossing the Queen Creek Wash.

S. Consideration and possible approval of an Intergovernmental Agreement with Maricopa County for transportation services.

T. Consideration and possible approval of **Resolution 610-06** authorizing actions necessary to acquire the business known as The Queen Creek Water Company, comprising real and/or personal property located in Queen Creek, Arizona, through gift, purchase or eminent domain.

U. Consideration and possible approval of **Ordinance 369-06** amending Town Code Chapter 16 Utilities, Section 16-4-20 Sanitary Sewer Regulations.

Items I & T were pulled for discussion.

Motion: Valenzuela

Second: Barney

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To approve the remainder of the Consent Calendar as presented.

Vote: Unanimous

Item I: Staff presented an amendment to Stipulation #9 in regards to off-site landscaping and the Development Agreement.

Motion: Barney

Second: Valenzuela

To approve Item I as amended.

Vote: Unanimous

Item T: Council requested Section 4 of the Resolution be amended to show that the Town would continue to provide service to the citizens of Queen Creek.

Motion: Hildebrandt

Second: Barney

To approve Item T (Resolution 610-06) as amended.

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 RZ06-042/SP06-017 (Ordinance 367-06) “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 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.

Council Member Hildebrandt declared a conflict of interest and stepped down from the dias.

Planner Valerie Chambers stated the property is currently zoned TC (Town Center) and the applicant is requesting a PAD to allow buffer yard relief. Ms. Chambers reviewed Stipulations 7, 8 and 9 in regard to public access easements; southern property wall fencing and access easement to the adjacent southeast parcel (former Queen Creek Water Co. offices). Ms. Chambers also reported that the proposed building elevations are in compliance with Town Center requirements. Council requested Stipulation 9 include identification of the building owner.

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

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8. Discussion and possible action on Ordinance 367-06 (RZ06-042/SP06-017).

Motion: Wootten

Second: Valenzuela

To approve Ordinance 367-06 (RZ06-042/SP06-017) with the amendment to Stipulation 9 as discussed.

Vote: Unanimous

Council Member Hildebrandt returned to the dais.

9. Public Hearing on RZ04-06/D06-06 (Ordinance 368-06) “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 staff report and rezoning application. Council asked about horse privileges. Ms. Chambers stated that horses were allowed on lots one-acre and larger.

Jack Hudson, the applicant, came forward and stated that this project was the fourth phase of the overall development that will include 130 lots of 35,000 sq. ft or more. He also stated that with this phase, there will be a total of 195 lots of which 87 will have horse privileges.

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

10. Discussion and possible action on Ordinance 368-06 (RZ04-06/D06-06).

Motion: Valenzuela

Second: Hildebrandt

To approve Ordinance 368-06 (RZ04-06/D06-06).

Vote: 5 – aye

1 – nay (Wootten)

Motion Passed.

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

Interim Town Manager Kross reviewed the Council direction from the September 6 Council Meeting and requested final direction. Mr. Kross discussed possible Town Code amendments, state mandated requirements for the Planning and Zoning Commission and Board of Adjustment and staff’s recommendation that any policies or procedures apply to all Town committees. There was discussion Chair and Vice Chair designation, continuity of established committees; residency requirements and flexibility in membership of a committee if eleven citizens aren’t interested. Council also wanted to clarify attendance and what would constitute an excused or acceptable absence.

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Council voted on Sections I, II and VI separately:

Motion: Coletto-Cohen

Second: Hildebrandt

To approve **Section I Purpose and Applicability** to include “The Queen Creek Town Council desires to include as many people as possible on town committees....”

Vote: Unanimous

Motion: Coletto-Cohen

Second: Barney

To approve **Section II (a)** as follows: (a) Members are appointed to one and two-year terms of office. The Town Council shall consider reappointments on an annual basis for all designated committees. Terms for members are staggered such that the entire committee would not need to be reappointed at the same time.

Vote: Unanimous

Motion: Wootten

Second: Coletto-Cohen

To approve **Section II (b)** as recommended by staff.

Vote: 4 – aye

2 – nay (Hildebrandt & Valenzuela)

Motion Passed.

Motion: Wootten

Second: Coletto-Cohen

To approve **Section II (f)** as follows: (f) The Town Council may although discouraged appoint the same member to one or more committees as they deem appropriate to serve the needs of the Town.

Vote: 4 – aye

2 – nay (Hildebrandt & Valenzuela)

Motion Passed.

Motion: Wootten

Second: Barney

To approve **Section VI (a)** as follows: (a) Fails to attend 25% of the regular meetings within a 12-month calendar period shall be reconsidered by the Town Council and add “consider removing” to the following sentence: “The Town Council shall consider removing the individual....”

Vote: 5 – aye

1 – nay (Valenzuela)

Motion Passed.

Council Member Mortensen returned to the Council Meeting at this time (9:00pm)

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Motion: Coletto-Cohen

Second: Wootten

To suspend the Rules and discuss Item 14 before Item 12.

Roll Call Vote:

Barney: Aye

Coletto-Cohen: Aye

Hildebrandt: Nay

Mortensen: Nay

Wootten: Aye

Valenzuela: Nay

Sanders: Nay

Motion Fails (4-3)

12. 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.

Management Assistant Troy White stated that the proposed ordinance would remove the Parks, Trails and Open Space Committee from the Town Code, which was approved in May 2006. Mr. White reviewed the history of the Parks, Trails and Open Space Committee which was originally created to work on a specific project but evolved to work on on-going and new projects.

Town Attorney Fredda Bisman provided clarification that codified committees, which are approved by ordinance, would not be affected by the newly adopted policy (previous agenda item). Council discussed changing by-laws of the Parks, Trails and Open Space Committee while retaining codification.

Motion: Valenzuela

Second: Hildebrandt

To approve Ordinance 360-06.

Roll Call Vote:

Barney: Nay

Coletto-Cohen: Nay

Hildebrandt: Aye

Mortensen: Aye

Wootten: Nay

Valenzuela: Aye

Sanders: Aye

Motion Passed (4-3)

13. 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: Valenzuela

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To approve establishing the Parks, Trails and Open Space Committee (a non-codified committee), including but not limited to roster, residency, attendance and quorum requirements.

Roll Call Vote:

Barney: Aye
Coletto-Cohen: Aye
Hildebrandt: Aye
Mortensen: Aye
Wootten: Aye
Valenzuela: Aye
Sanders: Aye

Motion Passed (7-0)

14. 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.

No discussion or action taken.

15. Discussion and possible action on new Volunteer Coordinator Services.

Interim Town Manager Kross reviewed prior Council discussion and staff's recommendation for an unpaid volunteer coordinator to work with a Volunteer Coordination committee, which would be similar to the Senior Advisory Committee, and not subject to the committee policy previously adopted. There was discussion on keeping volunteer opportunities local and matching volunteers with specific services. Council directed a work program for the committee be brought back for approval.

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

16. Discussion on streamlining development processes and status report of the Peer Review analysis.

Community Development Director Tom Condit reviewed the results and recommendations of the Peer review analysis for the Community Development Department. Discussion was in regard to filling staff vacancies; maintaining accountability of developers with streamlined approvals; and sustaining unique and high-quality development while remaining customer friendly.

17. Overview of the Parks and Recreation Department.

Discussed at Work Study.

18. COMMITTEE REPORTS

A. Library Committee – September 11, 2006 – the Committee reviewed the three design concepts; results of public comments on questionnaire and recommended Concept “C”.

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B. Parks, Trails and Open Space Committee – September 12, 2006 – the Committee heard Department updates; discussed committee membership; and the five-park master plan.

C. Transportation Advisory Committee – September 14, 2006 – the Committee heard updates and discussed the Improvement District groundbreaking on October 4.

D. Queen Creek Youth Commission – September 6, 2006 – report will be given at next Council Meeting.

E. Fire/EMS Committee – September 13, 2006 – the Committee reviewed the survey results and the committee’s recommendation of starting a Town fire department with an combination of increased sales tax and property tax to finance the department.

19. ADJOURNMENT

Motion: Valenzuela

Second: Hildebrandt

To adjourn the Regular Session at 10:31 pm.

Vote: Unanimous

Jennifer F. Robinson, CMC

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 September 20, 2006 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, CMC

Passed and approved on October 4, 2006.