



Minutes
Regular Session
Queen Creek Town Council
Queen Creek Town Hall, 22350 S. Ellsworth Road
Council Chambers
October 4, 2006
7:00 p.m.

1. Call to Order

The meeting was called to order at 7:10 pm.

2. Roll Call

Council Members present: Barney; Coletto-Cohen; Hildebrandt; Mortensen; Wootten and Mayor Sanders. Vice Mayor Valenzuela was absent due to a family emergency.

3. Pledge of Allegiance

Led by Mayor Sanders.

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

- A. Five-Year Service Award – Mayor Sanders and Community Development Director Condit presented Kristi Spaur, Sr. Permit Technician with her five-year service award.
- B. Proclamation – Fire Safety Month – read by Council Member Hildebrandt
- C. Student of the Month – September 2006 – Council Members Mortensen and Wootten presented the following with the Student of the Month Award for September 2006:

Powell Skiba – Benjamin Franklin – Power Campus
Andrew Benedek – Benjamin Franklin – Crismon Campus
Amanda Nisson – Queen Creek High School
Kyla Griest – Queen Creek Middle School
Hannah Arters – Frances Brandon Pickett Elementary School
Bailey Rogers – Jack Barnes Elementary School (not in attendance)
Spencer Brown – Cortina Elementary School

Mayor Sanders also announced the Ellsworth Loop Road – Improvement District Groundbreaking event that took place earlier in the day and the Art in the Park dedication at Desert Mountain Park.

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.

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None.

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 20, 2006 Work Study and Regular Session Minutes.

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

C. Consideration and possible approval of the July 2006 Financial Statement.

D. Consideration and possible approval of the August 2006 Financial Statement.

E. Consideration and possible approval of the final acceptance of public improvements at Pecan Cove and begin the one year warranty period.

F. Consideration and possible approval of a contract in the amount of \$64,400 with Selectron Technologies for Interactive Voice Response software for the Community Development/Development Services operations.

G. Consideration and possible approval to use \$284,300 in SRP Aesthetic Funds to underground an existing 12kV power line along the south side of Ocotillo Road between the former Queen Creek Market and Our Lady of Guadalupe Catholic Church.

H. Consideration and possible approval to forego the installation of landscape improvements in the amount of \$65,000 at the proposed Egan Substation.

I. Consideration and possible approval of a contract amendment with Kirkham Michael in the amount of \$13,855.

J. Consideration and possible approval of Amendment #3 to the Intergovernmental Agreement with the Maricopa County Sheriff's Office for law enforcement services.

K. Consideration and possible approval to install new street lighting in the amount of \$57,791 along the south side of Ocotillo Road between 205th Place and the Queen Creek Wash.

L. Consideration and possible approval of the Final Plat for "Hastings Farms Parcel H" a request by W. Thomas Hickox of Queen Creek Joint Venture, LLC. The project is located in the northeast quadrant of Ellsworth Road and Cloud Road.

M. Consideration and possible approval of the Final Plat for "Hastings Farms Parcel A" a request by Wade J. Kempton of Cresleigh Homes Arizona, Inc., and W. Thomas Hickcox of Queen Creek Joint Venture, LLC. The project is located in the northeast quadrant of Ellsworth Road and Cloud Road.

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N. Consideration and possible approval of the Final Plat for “Hastings Farms Parcel B” a request by Wade J. Kempton of Cresleigh Homes Arizona, Inc., and W. Thomas Hickcox of Queen Creek Joint Venture, LLC. The project is located in the northeast quadrant of Ellsworth Road and Cloud Road.

O. Consideration and possible approval of the award of a \$56,896.45 Job Order Contract (JOC) with Mohave Educational Services Cooperative for the design of the Ellsworth/Hunt Phase II wastewater line (Borgata sewer).

P. Consideration and possible approval Council public outreach programs for this fiscal year.

Q. Consideration and possible approval on a Town Council monthly news column.

R. Consideration and possible approval of a deed restriction on the recently acquired 130-acre (approximately) Town property located on the north side of Queen Creek Road, approximately ¼ mile east of Signal Butte Road.

S. Consideration and possible approval of **Resolution 611-06** adopting bylaws for Town Committees.

T. Consideration and possible approval of a contract in to Dibble & Associates for design services for Town Center Streets in the amount not to exceed \$916,495.

U. Consideration and possible approval of the reconsideration/ratification of **Resolution 610-06** approved September 20, 2006 to include revisions to Sections 4 & 5.

Items P, Q, R, S, and T were pulled for discussion.

Motion: Barney

Second: Coletto-Cohen

To approve the remainder of the Consent Calendar as presented.

Vote: Unanimous

Item P: Communications Director Thomas reviewed the current and proposed schedule of community outreach programs. Council discussion included Talk to the Town topics; renaming existing programs; open forum format and varied dates and times for events. It was suggested that the outreach programs be re-evaluated after a trial period.

Motion: Mortensen

Second: Hildebrandt

To approve Community Outreach Program schedule as recommended by staff and in the staff report.

Council Member Coletto-Cohen stated her concern with the reduction in total number of outreach programs as compared to previous years.

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Vote: 5 – aye
1 – nay (Coletto-Cohen)

Motion Passed.

Ms. Thomas continued with a review of the proposed photography policy. Council asked if the Chamber of Commerce could provide a photographer. Vince Davis, President of the Chamber of Commerce addressed Council and explained the Chamber was present at all events and took photos.

Motion: Wootten

Second: Coletto-Cohen

To approve the Photography Policy as recommended by staff.

Vote: Unanimous

Item Q: Ms. Thomas reviewed the proposed month Town Council news column and policy options for writing the column. Council discussed concerns about the possibility of opinion/editorial articles.

Motion: Coletto-Cohen

Second: Hildebrandt

To deny the Town Council Monthly News Column.

Vote: Unanimous

Item R: Council Member Barney declared a conflict of interest and stepped down from the dais.

Interim Town Manager Kross gave a brief overview of the proposed deed restrictions. Town Attorney Bisman added the public purposes statement is broad and encompasses many public uses.

Motion: Hildebrandt

Second: Wootten

To approve Item R as presented.

Vote: Unanimous

Item S: Interim Town Manager Kross stated that policy presented included revisions requested at the last Council Meeting. Council requested that the Youth Commission be removed from the policy as many high school students weren't Town residents but within the school districts serving the Town. It was also requested the Parks, Trails and Open Space Committee be added into the policy.

Motion: Hildebrandt

Second: Mortensen

To approve Resolution 611-06 adopting the by-laws for Town Committees with the changes discussed.

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Vote: Unanimous

Item T: Staff requested this item be continued indefinitely.

Motion: Wootten

Second: Coletto-Cohen

To continue Item T indefinitely.

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 and discussion on the proposed Fire Development Fees.

The Public Hearing was opened.

Kyle Robinson, 18551 E. Ranch Rd., spoke in support of the Fire Development fees. He also said that he would like developers to set aside land for fire stations.

The Public Hearing was closed.

Community Development Director Condit gave a brief overview of the process for adopting development fees, including the 60-day public agency comment period. Mr. Condit reviewed comments from the Homebuilders Association of Central Arizona. Mr. Condit explained that as a result of the comments, the fee was revised to show a decrease per residential unit. Council asked how the fee reduction was calculated. Mr. Condit replied that the ladder truck expenses were recalculated.

Council discussed the fire service alternatives and funding options. Public Safety Coordinator LaFortune stated that the Fire/EMS Study Committee recommendations would be presented at a Special Work Study Session October 12 with the final report being presented to Council at the October 18 Council Meeting. There was also discussion on the status of the fire development fee if a property tax measure failed. Interim Town Manager Kross added that if a property tax measure failed, other funding options would be presented. He also explained that development fees must be expended within six years of collection.

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

Council Member Barney declared a conflict of interest and stepped down from the dais.

8. Discussion on **SP06-049** “Barney Family Sports Complex” a request by Scott Arsenault on behalf of the Barney Family Sports LLC, for Site Plan, Landscape Plan and Building Elevation approval for Barney Family Sports Complex. The proposal is a 65,000 sq.ft. sports complex on

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approximately 9 acres with existing I-2 General Industrial zoning. The project is located at the northeast corner of Queen Creek and Merrill Roads.

Planner McCauley reviewed the building elevations and site plan. Council asked if a traffic analysis had been completed. Mr. McCauley stated that it was being reviewed by Engineering.

Mr. McCauley discussed the roof elevations, noting that enhancements were being requested to break up the long roof line. Council asked for clarification on the stipulation regarding relocation of 69kV lines. Engineer Leubner responded that it was a standard stipulation.

Council Member Barney returned to his seat.

9. Discussion on RZ06-057/SD06-002 “Cliffstone” a request by Jason Check on behalf of Christopher Cole and Lonnie McCleve for a rezoning, Planned Area Development (PAD), Preliminary Plat and Landscape Plan approval for Cliffstone. The proposal consists of a 41-lot subdivision on approximately 30 acres with existing R1-43 zoning (43,560 sq. ft. lot size). The property is located approximately 625 ft. west of the northwest corner of Riggs and Ellsworth Roads.

Planner McCauley reviewed the rezoning request including the site plan, fencing plan and open space. He explained the applicant was requesting a PAD to allow a 6-foot solid fence for Lot 1 & 21 as well as along the western boundary of the development; elimination of the 20-foot bufferyard on western boundary and deviations on lot dimensions. Mr. McCauley stated the Planning and Zoning Commission recommended approval with the exception of the 6-foot solid fence. Staff recommends a 4/2 fence. Mr. McCauley added that the proposed development was not currently within the sewer service area and an amendment to the service map would be necessary. Council asked how close the sewer was at this point. Transportation Manager Schaner responded that the sewer was currently within approximately ½ mile. Council questioned staff’s recommendation for a 4/2 fence on the western boundary adjacent to Horseshoe Park. Mr. McCauley replied the recommendation was consistent with the code requirement for projects adjacent to parks. Council also asked if the streets within the development would be public or private. Staff responded private and ungated.

10. Discussion on SP06-038 “Power Mini-Storage” a request by James O. Power for Site Plan, Landscape Plan and Wall Elevation Plan approval for Power Mini-Storage Phase III. The proposal consists of 60 mini-storage units and 55 RV and boat storage spaces on 1.6 acres with existing I-1 Office/Industrial Park zoning. The project is located at 18005 S. Power Road.

Planner McCauley reviewed the site plan and discussed future improvements could include additional storage units in place of the RV spaces, in an amount not exceed the total units allowed in the Special Use Permit. Mr. McCauley also presented the proposed elevations.

The meeting was recessed from 8:35 – 8:46pm.

11. Discussion on SP06-079 “Office/Warehouse at Lot 14 of Inverness Industrial Park” a request by Tom Hunt of Hunt Architecture on behalf of Sid-Rich Design/Build Inc., for Site Plan, Building Elevation and Landscape Plan approval for an Office/Warehouse building at Inverness

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Industrial Park. The project is located ¼ mile east of Crismon Road, on the south side of Ocotillo Road, Lot 14 at Inverness Industrial Park.

Planner Chambers reviewed the proposed site plan and elevations. The project was recommended for approval by the Planning and Zoning Commission.

12. Discussion on TA04-007 “Text Amendment on Processing Religious Institutions” a request by the Town of Queen Creek for a text amendment to the Town of Queen Creek Zoning Ordinance, Article 3 and Article 6 to modify the processing and approval procedures for religious institutions.

Planner Chambers gave an overview of Council direction to prepare a text amendment that would streamline the approval process for religious institution projects. Ms. Chambers reviewed the proposed text amendment that would address the approval process, establish performance standards and clarify definitions. Council asked for clarification on how seating capacity was determined. Ms. Chambers replied that it was based on the applicant’s information.

13. Discussion on a Municipal Sponsorship Policy.

Management Assistant White reviewed a draft sponsorship policy. The policy includes a review process; types of applications that would require Council approval; restrictions and selection criteria. Council discussed the need to have flexibility on restrictions for state regulated businesses and alcohol advertising at events where children wouldn’t be participating. Council directed staff to bring back the policy a final policy for approval.

14. Presentation from Ken Ballard on Operations & Maintenance (O&M) of the Parks Master Plan.

Ken Ballard, the Town’s consultant for the Parks Master Plan, discussed in-house vs. contracted services (maintenance, programming etc); non-resident fee policy; and operations & maintenance assumptions if the Master Plan was approved and implemented.

15. Presentation and update on the Superstition Vistas.

Management Assistant Young provided background information on the State Trust Land and Superstition Vistas status and reviewed the report prepared by the Morrison Institute for Public Policy.

16. COMMITTEE REPORTS

A. Queen Creek Youth Commission – September 20, 2006 – The Commission discussed plans for a canned food drive; selling hot chocolate at the Holiday Tree Lighting and met with the Library architects.

B. Recreation Advisory Board – September 26, 2006 – The Board heard staff/department updates; discussed fee structure for rental and youth sports program subsidies.

Motion: Mortensen

Second: Wootten

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To adjourn to Executive Session at 9:59pm.

Vote: Unanimous

17. ADJOURNMENT

Motion: Barney

Second: Wootten

To adjourn the Regular Session at 10:15 pm.

Vote: Unanimous

Dated this 13th day of October 2006.

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 October 4, 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 18, 2006.