



**Minutes**  
**Regular Session**  
**Queen Creek Town Council**  
Queen Creek Town Hall, 22350 S. Ellsworth Road  
Council Chambers  
October 18, 2006  
7:00 p.m.

**1. Call to Order**

The meeting was called to order at 7:08 pm.

**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.

None.

**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.

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 October 4, 2006 Work Study and Regular Session Minutes.

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

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

D. Consideration and possible approval the Final Plat for "Cornerstone at Queen Creek" a request by Bob Mayhall of WDP Town Center LLC. The project is located in the northwest quadrant of Rittenhouse and Ocotillo Roads.

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E. Consideration and possible approval of the Final Plat for “Hastings Farms Parcel D” a request by W. Thomas Hickcox of Queen Creek Venture, LLC. The project is located in the northeast quadrant of Ellsworth and Cloud Roads.

F. Consideration and possible approval of the Final Plat for “Hastings Farms Parcel E” a request by W. Thomas Hickcox of Queen Creek Venture, LLC. The project is located in the northeast quadrant of Ellsworth and Cloud Roads.

G. Consideration and possible approval of the Final Plat for “Hastings Farms Parcel I” a request by W. Thomas Hickcox of Queen Creek Venture, LLC. The project is located in the northeast quadrant of Ellsworth and Cloud Roads.

H. Consideration and possible approval of the Final Plat for “Hastings Farms Parcel J” a request by W. Thomas Hickcox of Queen Creek Venture, LLC. The project is located in the northeast quadrant of Ellsworth and Cloud Roads.

I. Consideration and possible approval of **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.

J. Consideration and possible approval of **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 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.

K. Consideration and possible approval of a Municipal Sponsorship Policy.

L. Consideration and possible approval of an amendment to the contract with PBS&J in the amount of \$8,900 regarding the Town’s CAAG 208 Water Quality Plan Amendment for the purpose of creating a “Designated Management Agency”.

M. Consideration and possible approval of **Resolution 612-06** authorizing and directing staff to take all actions necessary to acquire real property from Mark Jensen (Maricopa County Assessor’s Parcels 304-68-015T and 304-68-015X) for Recreation and Open Space.

N. Consideration and possible approval of the award of a contract to an executive search firm in the amount not to exceed \$25,000 for the recruitment of a Town Manager.

The following Consent Items were removed: A, K, M and N.

**Motion:** Coletto-Cohen

**Second:** Mortensen

To approve the remainder of the Consent Calendar.

**Vote:** Unanimous



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Creek Zoning Ordinance, Article 3 and Article 6 to modify the processing and approval procedures for religious institutions.

Planner Chambers reviewed the proposed text amendment.

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

**8. Discussion and possible action on Ordinance 370-06 (TA04-007).**

**Motion:** Barney

**Second:** Coletto-Cohen

To approve Ordinance 370-06 (TZ04-007).

**Vote:** Unanimous

**9. Public Hearing on RZ06-057/SD06-002 (Ordinance 371-06) “Cliffstone”** a request by Jason Check on behalf of Christopher Cole and Lonnie McCleve for a rezoning to R1-18, 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 gave a brief review of the proposed project and stated that the applicant’s request for a six-foot solid fence and staff’s recommendation for 4/2 view fence was unresolved. Council asked for clarification on the guardhouse and whether the project was going to be a gated community. Mr. McCauley explained the guardhouse was an aesthetic element of the project. Further discussion was in regard to the possibility of changing the project to a gated community. Staff responded that a stipulation could be added to the ordinance requiring any change in the use of the guardhouse would have to go before Council. Council then discussed the possibility of a portion of the road leading to the guardhouse be a public road with the roads within the project remaining private. Town Attorney Bisman said there could be a liability issue for the Town if a permanent structure was built in middle of a public street.

Ralph Pew, 1930 W. Brown Rd., representing the applicant, said the applicant concurs with all stipulations except for staff’s recommendation for view fencing and any change to the guardhouse. Mr. Pew said that there is no intention of applicant to gate the project and that the guardhouse was aesthetic and unmanned, except during construction, which would allow for construction activity monitoring. Mr. Pew also stated that the applicant was in agreement with a stipulation that any future gating of the community would require Council approval. Mr. Pew continued discussion with the request to allow solid fencing for Lot 1, which is adjacent to an existing home and is not visible from public streets; and also requested solid fencing along the western boundary, adjacent to Horseshoe Park, to provide privacy for homeowners. Mr. Pew said that solid fencing would buffer the project from future uses at the landfill site.

Council discussed the current fence ordinance requiring view fencing adjacent to open space/parks and late night activities at parks.

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

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**10. Discussion and possible action on Ordinance 371-06 (RZ06-057/SD06-002).**

**Motion:** Valenzuela

**Second:** Hildebrandt

To approve Ordinance 371-06 (RZ06-057/SD06-002) with the deletion of Stipulations 6 & 9 requiring 33% open view fencing and a new stipulation requiring any change in use of the guardhouse would be required to have Council approval.

**Vote:** Unanimous

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

**11. Discussion and possible action 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 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 an additional stipulation from the Planning and Zoning Commission requiring additional details for the roof and rear elevation.

Greg Davis, 4684 Star Canyon Dr., representing the applicant, requested Stipulation 24 be deleted. Mr. Davis gave a presentation on the design and construction of the building (a clear span engineered building) and explained that additional roof elements could cause structural weakness. He also explained that some sports events require a clear span building. Mr. Davis also reviewed the building elevations, with enhanced structural elements on the front & right elevations, which are visible from the roadway.

Council discussed further the Planning and Zoning Commission’s recommendation in regard to the rear elevation and suggested additional painting or decorative details.

**Motion:** Valenzuela

**Second:** Hildebrandt

To approve SP06-049 with an amended Stipulation 24 removing the requirement for additional roof details but requiring additional rear elevation enhancements, to be worked out with staff.

**Vote:** 6-0 (Barney abstaining)

Council Member Barney returned to his seat.

**12. Public Hearing, discussion and possible action on RZ06-001/SD06-020 “Belle Estates”** submitted by Matt Everling of PlanRight Consulting, LLC. The project requests rezoning, preliminary plat and landscape plan approval for an eight (8) lot single-family subdivision on approximately 9.61 acres. The site is currently zoned R1-54 (1 ¼ acre per dwelling unit) and proposes R1-35 (35,000 square feet per dwelling unit). The property is located approximately ¼ mile south of the southwest corner of Hunt Highway and Bell Road. *A continuance to December 20, 2006 is requested.*

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Planner Chambers stated the applicant requested a continuance to December 20, 2006.

The Public Hearing was opened.

Dave Voorhees, Queen Creek, said he was not opposed to the development, but had concerns regarding drainage issues. He said the adjacent development causes wash flooding and damage to his property.

The Public Hearing was closed.

**Motion:** Barney

**Second:** Wootten

To continue RZ06-001/SD06-020 to the December 20, 2006 Town Council meeting.

**Vote:** Unanimous

The meeting was recessed from 8:05 – 8:15pm.

**13. Discussion and possible approval** of a work program for the Volunteer Coordination Committee and a recruitment process for the unpaid Volunteer Coordinator position.

**Motion:** Sanders

**Second:** Barney

To continue the Volunteer Coordination Committee and Volunteer Coordinator position indefinitely.

**Vote:** Unanimous

**14. Discussion and possible approval** of the Fire/EMS Service Study recommendation and financing options and direction to prepare ballot language.

Public Safety Coordinator Joe LaFortune reviewed the Fire/EMS Service Study recommendations, financing options and the recent Fire/EMS Survey results as well as the Council discussion from the October 12 Special Work Study Session. The review included discussion on a combination of property tax & sales tax for funding operations & maintenance and a new fire development fee funding capital costs (attributable to new growth). Council discussed several alternative financing options, including different rates for property tax and sales tax. The rates discussed included the committee's recommendation of \$1.35 per \$100 assessed value & .5% sales tax increase and the recommendation from the Special Work Study of \$1.95 per \$100 assessed value and .25% sales tax increase.

Discussion continued in regard to proposed ballot language, with the request that it include Fire, EMS and Public Safety. There was some discussion about the ability to place the sales tax increase on the ballot. Town Attorney Bisman stated that additional research would be done to determine whether a general law town had the authority to refer a sales tax to the voters, adding that some charter cities may have the authority. The election time line was reviewed, including deadlines for ballot language, election dates, tax levy and collection process.

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Council discussed the relative stability of property tax revenues vs. retail sales tax revenues; rates of assessment of commercial property and possible impact on future commercial development; and overall rates of property tax (county & school district). Council's discussion reflected the need to generate revenue in order to provide the Fire/EMS & Public Safety services for Town residents.

Further discussion included Rural Metro subscription statistics and resident vs. non-resident survey responses.

Kyle Robinson, 18551 E. Ranch Rd., a member of the Fire/EMS Service Study Committee, stated his support for the committee's recommendations and supports a combination of property tax & sales tax, including the recommendation from the Special Work Study of \$1.95/.25%.

Discussion continued with clarification requested on setting the initial property tax rate and future increases. Interim Assistant Town Manager Patrick Flynn explained that the actual tax rate doesn't go to the voters, rather the total amount of tax to be raised. He added that each year in August, the Council would set the levy (total amount) and tax rate to be assessed. State law sets a maximum of 2% per year increase. Town Attorney Bisman added that the publicity pamphlet would provide this information to the voters also.

**Motion:** Mortensen

**Second:** Wootten

To accept the Fire/EMS Service Study Committee recommendation and directed staff to begin preparing ballot language that would include a property tax, sufficient to raise \$4.8 million; dedicate a sales tax increase to Fire, EMS and Public Safety.

Mr. Kross stated that additional information would be brought back to Council regarding the Council's authority to place a sales tax increase on the ballot.

**Vote:** Unanimous

**15. Discussion and possible action** on the appointment of a steering committee to assist in the recruitment process for a Town Manager.

Town Attorney Bisman explained the purpose of the steering committee, which would be to work with the League as necessary and expedite the recruitment process and stated that the committee would provide recommendations only to the full Council. Discussion was in regard to the scope of work, including the screening of applications and interview selection.

**Motion:** Hildebrandt

**Second:** Valenzuela

To appoint Toni Valenzuela, Jon Wootten and Gordon Mortensen to the steering committee.

**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.

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**16. Update** on status of the Queen Creek Library.

No additional discussion.

**17. Presentation** of the Queen Creek Chamber of Commerce Quarterly Report and status of activities.

No additional discussion.

**18. COMMITTEE REPORTS**

A. Queen Creek Youth Commission – October 4, 2006 – the Commission members discussed the annual canned food drive, Town Hall Forum topics and met with the Park Master Plan consultant.

B. Parks, Trails and Open Space Committee – October 10, 2006 – the Committee heard a presentation from the American Legion; updates on the aquatics feasibility study and Horseshoe Park; and reviewed the recently approved Committee By-Laws.

C. Transportation Advisory Committee – October 12, 2006 – the Committee discussed the CAP line construction; the Town’s big box ordinance and CIP project funds.

D. San Tan Foothills Specific Area Plan Technical Advisory Committee – October 17, 2006 – the Committee reviewed the Solutions Forum input; focus areas & goals and a possible joint meeting with the Town Council and Planning and Zoning Commission.

**19. ADJOURNMENT**

**Motion:** Valenzuela

**Second:** Hildebrandt

To adjourn the Regular Session at 9:05 pm.

**Vote:** Unanimous

Dated October 26, 2006.

Jennifer F. Robinson, CMC

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TOWN OF QUEEN CREEK

\_\_\_\_\_  
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 October 18, 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 November 1, 2006.