



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

1. Call to Order

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

Mayor Sanders announced that General Plan Amendments GP06-004, GP06-005 and GP04-007 had been withdrawn and an indefinite continuance requested for GP06-008.

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.

A. Student of the Month Award – November 2006: Council Member Mortensen and Mayor Sanders presented the following with the November Student of the Month Awards:

Katelyn Titsworth – Benjamin Franklin – Power Campus
Katana Billingsley – Benjamin Franklin – Crismon Campus
Katie Rice – Queen Creek High School
Kelsey Gruntorad – Queen Creek Middle School
Jayson Gibbons – Frances Brandon Pickett Elementary School
Lauryn Porter – Jack Barnes Elementary School
Victoria Davy – Cortina Elementary School
Miranda Zamora – Queen Creek Elementary School
Christopher Andrews – Desert Mountain Elementary School

B. Fall CERT Program Certificates: Mayor Sanders with the assistance of Rural Metro Captain Keith Lloyd and Public Safety Division Manager Joe LaFortune presented the following CERT Program Certificates: Linda Belcock, Chris Clark, Lorie Fessenmeyer, Lena Flores, Mark Meckstroth, Tracy Meckstroth, James Miner, Sherry Perez, John Sechei, Ramona Simpson, Regina Whitman, Kathy Miner, Tod Chevra, Lynn Northern and Randy Green.

C. Presentation by Gila River Indian Community to the Town of Queen Creek for a grant received for the Junior Achievement and Economics Education Grant Award: Greg Mendoza,

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Chief of Staff for Gila River Indian Community Governor Rhodes and Cheryl ?, presented a check in the amount of \$120,000 for the Junior Achievement Program. Mr. Rhodes explained that a provision was included in Proposition 200 (2002) to share revenue with the State, County and Towns through a grant program.

- 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.

Brent Schian, 11538 E. Desert River Way, requested additional lighted adult softball fields.

- 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 12, 2006 Special Work Study Minutes.

B. Consideration and possible approval of the November 1, 2006 Work Study and Regular Session Minutes.

C. Consideration and possible approval of the November 15, 2006 Work Study and Regular Session Minutes.

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

E. Consideration and possible approval of the final acceptance of public improvements of the Germann Road Extension and begin the one year warranty period.

F. Consideration and possible approval of the final acceptance of public improvements of The Villages Parcels 13 & 15 and begin the one year warranty period.

G. Consideration and possible approval of a contract in the amount of \$175,311 with Kimley-Horn for a Telecommunications Master Plan, Implementation Plan and Wireless Project Management Oversight.

H. Consideration and possible approval of a contract with Queensland Manor HOA to maintain Town-owned trails through the subdivision.

I. Consideration and possible approval of **Resolution 615-06** authorizing the purchase agreement for real property from Timothy & Kathleen Smith (Assessor’s Parcel #304-66-024A) for the Ocotillo Street improvements.

J. Consideration and possible approval of **Resolution 616-06** authorizing the abandonment of excess right-of-way to Ellsworth Road (Assessor’s Parcel #304-67-056A).

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K. Consideration and possible approval of a Waiver of Plan Review and Building Permit Fees for FY2006-2007 HOME Housing Rehabilitation Program.

L. Consideration and possible approval of **Resolution 627-06** Authorization to Apply for FY2007-2008 CDBG and HOME projects.

M. Consideration and possible approval of **Resolution 628-06** adopting by reference the Fee Philosophy for the Parks & Recreation Department.

N. Consideration and possible approval of **Resolution 629-06** declaring as a public record the "2007 Amendments to the Tax Code of the Town of Queen Creek".

O. Consideration and possible approval of **Ordinance 376-06** adopting the "2007 Amendments to the Tax Code of the Town of Queen Creek" by reference; establishing an effective date; providing for severability and providing penalties for violations.

P. Consideration and possible approval of **Resolution 630-06** approving an amendment to a development agreement dated June 15, 2005 with Vestar Arizona, XXXIX, LLC, an Arizona Limited Liability Company, related to the reimbursement limit and time for repayment.

Q. Consideration and possible approval of **Resolution 631-06** approving an Offset to Parks, Recreation and Open Space Development Fees for Hastings Farms (Cresleigh Homes & QCJV).

R. Consideration and possible approval of the Final Plat for Sossaman Estates III, Phase A, a request by Jason Jarvis of Engle Homes, Inc. The project is located in the northwest and southwest quadrant of Queen Creek Road and Sossaman Road.

S. Consideration and possible approval of the Final Plat for Sossaman Estates III, Phase B, a request by Jason Jarvis of Engle Homes, Inc. The project is located in the southwest quadrant of Queen Creek Road and Sossaman Road.

T. Consideration and possible approval of the final acceptance of public improvements at Langley Gateway Estates Phase I, III, IV and offsite improvements and begin the one year warranty period.

U. Consideration and possible approval of **Resolution 632-06** modifying assessments and assessment diagrams for ID001-Ellsworth Road/Rittenhouse Road Improvement District.

V. Consideration and possible approval of a proposal from G & G Construction Co., in the amount of \$25,352.25 to improve the intersection of Combs and Rittenhouse Roads.

*W. Consideration and possible approval of a Termination of Shared Improvements Agreement pertaining to the Victoria Development Agreement.

Items H & Q were pulled for discussion.

Motion: Barney

Second: Hildebrandt

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To approve the remainder of the Consent Calendar as presented.

Vote: Unanimous

Item H: Council discussed the costs of trail maintenance and necessity of the trail through the neighborhood.

Motion: Hildebrandt

Second: Mortensen

To approve Item H as presented.

Vote: Unanimous

Item Q: Council asked if the offsets could be given over a period of time rather than all at one time. Community Development Director Tom Condit stated that a provision could be included in the offset request requirements.

Motion: Coletto-Cohen

Second: Valenzuela

To approve Item Q with the stipulation that offsets be spread out by lot.

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, discussion and possible action on CU06-047/SP06-043 “Queen Creek Fiesta” a request from Withey, Anderson and Morris, PLC on behalf of De Rito Partners for a Conditional Use Permit (gas pumps related to a convenience store and separate tire store), site plan, landscape plans and building elevation approval. The Queen Creek Fiesta is a general commercial development consisting of 13 buildings totaling approximately 73,500 s.f. of building area. The property is zoned C-2 Commercial and located approximately 1000 feet south of the intersection of Rittenhouse and Ellsworth Roads and on the west side of Ellsworth Road.

The applicant requested a continuance to the December 20, 2006 Council Meeting.

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

Motion: Coletto-Cohen

Second: Hildebrandt

To continue **CU06-047/SP06-043** to the December 20, 2006 Council Meeting.

Vote: Unanimous

8. Public Hearing, discussion and possible action on a liquor license application submitted by Paul Osterman for Sushi Creek, 21805 S. Ellsworth Road #B103 (Queen Creek Village Center).

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

Motion: Wootten

Second: Valenzuela

To forward a favorable recommendation for a liquor license application submitted by Paul Osterman for Sushi Creek, 21805 S. Ellsworth Road #B103 (Queen Creek Village Center).

Vote: Unanimous

9. Public Hearing, discussion and possible action on a liquor license application submitted by Perry Rea for Queen Creek Olive Mill, 25062 S. Meridian Rd.

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

Motion: Wootten

Second: Coletto-Cohen

To forward a favorable recommendation for a liquor license application submitted by Perry Rea for Queen Creek Olive Mill, 25062 S. Meridian Rd

Vote: Unanimous

10. Discussion and possible action on the project plan for Horseshoe Park and Equestrian Centre including final site plan, phasing scenario and budget.

Parks & Recreation CIP Manager Troy White presented the Parks, Trails and Open Space Committee's phasing plan recommendation for the revised Horseshoe Park master plan. The phasing plan includes two phases and Mr. White presented the proposed schedule.

Council discussed the phasing plan and requested that if any other amenities needed to be deleted to stay within budget, that it be brought before Council.

Christian Stadler, 3241 E. McCaw St., Gilbert, a Queen Creek 4-H member said that he would be able to show his animals at Horseshoe Park.

Austin Stadler, 3241 E. McCaw St., Gilbert, a Queen Creek 4-H Clover Kid, said he was excited to show his pig at Horseshoe Park.

Amy Schweitzer, 18714 E. Via del Rancho, Queen Creek, Queen Creek 4-H President, said she was looking forward to showing animals year-round at Horseshoe Park.

Dru Alberti, 18644 E. Via del Oro, Queen Creek, a member of the Parks, Trails and Open Space Committee, Horseshoe Park Steering Committee and Queen Creek 4-H member, said that many uses would be accommodated at Horseshoe Park and the plan presented to the Council presented best addresses the immediate needs of the community.

Kirby Chadwick, 18703 E. Via del Oro, Queen Creek, said Horseshoe Park will allow the rural lifestyle and accommodate many activities.

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Motion: Hildebrandt

Second: Coletto-Cohen

To approve the project plan for Horseshoe Park and Equestrian Centre including final site plan, phasing scenario and budget.

Vote: Unanimous

The meeting was recessed from 8:10-8:22pm.

Motion: Hildebrandt

Second: Valenzuela

To suspend the rules and move Items 14, 15, 18 and 21 before Item 11.

Vote: Unanimous

11. Public Hearing, discussion and possible action on GP06-001/Resolution 619-06 a request by Ralph Pew of Pew and Lake, PLC for a Major General Plan Amendment for a Text Amendment to the "Regional Commercial Center" land use designation within the land use element of the General Plan. The Text Amendment would allow densities up to 25 dwellings per acre for any residential or mixed-use project and up to 10 dwelling units per acre average over the entire site as calculated based on the available residential land in the project. The applicant has also requested to remove the 660-foot transitional residential land uses and include a provision to exempt any residential dwelling units in a mixed use environment to not be counted against the 60% maximum land available for residential. The request would currently only apply to the site at the southwest corner of Riggs and Rittenhouse Roads.

Planner Dave Williams presented the staff report for general plan amendment and the recommendations for modifications from the Planning and Zoning Commission and staff. Mr. Williams discussed the transitional buffer and lower density. Council asked if the modifications had been discussed with the applicant. Mr. Williams stated that the applicant is in agreement.

Ralph Pew, 1930 E. Brown Rd., Mesa, representing the property owners, stated that he was in agreement with the modifications recommended by the Planning and Zoning Commission and staff regarding 18 du/ac and overall density cap at 8 du/ac. Mr. Pew said that this density would allow for ground floor commercial with upper floor residential. He also gave a brief review of the general plan amendment approved in 2004 for the regional commercial center. He also said the developers of the project will be required to participate in transportation improvements in the area.

The Public Hearing was opened.

Paul D. Reese, 24712 S. Signal Butte Rd., said he was opposed to apartments in the area and concerned with additional traffic.

Dennis Martin, 22224 E. Riggs Rd., said he was opposed to the general plan amendment.

Dru Alberti, 18644 E. Via del Oro, submitted written comments opposed.

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Mark Schnepf, 22601 E. Cloud Rd., said he was in support of the general plan amendment. He said it would bring added benefits and services to the community.

Mark Haynie, 25034 S. Signal Butte Rd., said he was opposed to the general plan amendment. He said he didn't expect any changes in the General Plan from 1995 when he purchased his property.

Carrie Schnepf, 22601 E. Cloud Rd., said she was in support of the general plan amendment. She said the Town is growing and roads will be widened.

Pam Newman, 20971 E. Orchard Lane, said she was opposed to apartments next to railroad tracks and that apartments become low income and cause crime. She said she was not opposed to the medical or commercial areas.

Silvia Centoz, 26226 S. Hawes Rd., said she was in support of the general plan amendment and looks forward to utilizing the services and retail provided.

The Public Hearing was closed.

Council asked for additional information on the transitional buffer recommendations. Staff explained where the modifications were recommended along established rights-of-way and landscaping buffers. Council then discussed the 18 du/ac density which is the same density as allowed in the Town Center. Council also asked about the following:

- Designated hospital site? Mr. Pew responded it is at the south end of the east side of the project.
- Meridian Road improvements? Response was no railroad crossing at Signal Butte, however Meridian Road will have one and the developer will be required to participate in the improvements.
- Development phase? Mr. Pew said the less intense commercial would most likely come in first with the hospital and associated commercial with continued residential development with the regional commercial (mall) at a later date.

Motion: Valenzuela

Second: Mortensen

To approve GP06-001/Resolution 619-06 as recommended by the Planning and Zoning Commission and staff.

Roll Call Vote: 6 – aye
1 – nay (Coletto-Cohen)

Motion Passed.

12. Public Hearing, discussion and possible action on GP06-002/Resolution 620-06 a request by Ralph Pew of Pew and Lake, PLC for a Major General Plan Amendment to amend the General Plan Land Use Map from Very Low Density Residential to Neighborhood Commercial for approximately nine (9) acres located at the southwest corner of Power and Riggs Roads.

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Planner Valerie Chambers reviewed the general plan amendment request and the Planning and Zoning Commission's recommendation for approval. Council asked staff to respond to comments submitted by the Chandler Heights Irrigation District in regard to water. Ms. Chambers said that the Adequate Public Facilities Ordinance addresses water supply and the burden to prove adequate water is available is on the applicant/developer.

Ralph Pew, 1930 E. Brown Rd, representing the property owners, stated he concurred with the Planning and Zoning Commission and staff recommendations. He said that neighborhood commercial is designed to accommodate existing traffic and residents. He also said the property is already zoned by the County for heavy commercial (C-3 & C-4) and the general plan amendment would provide for a better use and development.

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

Motion: Mortensen

Second: Hildebrandt

To approve GP06-002/Resolution 620-06 as recommended by the Planning and Zoning Commission.

Roll Call Vote: Unanimous

13. Public Hearing, discussion and possible action on GP06-003/Resolution 621-06 a request by Ralph Pew of Pew and Lake, PLC for a Major General Plan Amendment to amend the General Plan text for the creation of two new land use categories: Medium-High Density Residential (6-10 du/ac) and High-Density Residential (12-18/du/ac); and to amend the General Plan Land Use Map from:

- Low Density Residential (1-2 du/ac) to Neighborhood Commercial on approximately 15 acres located at the northeast corner of Signal Butte and Ocotillo Roads;
- Employment Type B to Neighborhood Commercial on approximately 15 acres located at the southeast corner of Queen creek and Signal Butte Roads;
- Low Density Residential (1-2 du/ac) and Employment Type B to Medium-High Density Residential (6-10 du/ac) on approximately 30 acres located on the east side of Signal Butte Road, south of Queen Creek Road; and
- Employment Type B to High Density Residential (12-18 du/ac) on approximately 20 acres located on the south side of Queen Creek Road, halfway between Signal Butte and Meridian Roads.

Planning Consultant Michelle Dahlke reviewed the general plan amendment application and explained that it was two-part: text amendment and land use map amendment. Ms. Dahlke reported the Planning and Zoning Commission and staff recommended denial of the application because it was a major policy shift in high density location and would mean a loss of 65 acres of employment area. Council asked why staff recommended denial of the commercial area. Ms. Dahlke responded it was mostly based on the high density residential proposal. Planning Manager Fred Brittingham added that the complete application was considered and there is

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existing commercial on the General Plan at the southeast corner of Signal Butte and Ocotillo Roads.

Ralph Pew, 1930 E. Brown Rd, representing the property owners requested that the residential part of the application be considered during the General Plan Update process and asked that the commercial amendment be approved. He said commercial at Queen Creek & Signal Butte Roads was appropriate as it is close to a future park and the Ocotillo and Signal Butte Road location would be neighborhood commercial. Mr. Pew added that the property owners are in the process of master planning the entire square mile.

Mr. Brittingham provided a brief overview of the PAD (Planned Area Development) process which allows commercial within a residential development. Council discussed having the commercial areas designated with the PAD.

The Public Hearing was opened.

Nick Wood of Snell & Wilmer, One Arizona Center, representing Williams Gateway Airport, spoke in opposition to the general plan amendment proposal. He stated the airport needs to be protected from residential encroachment in order to be a major economic hub for the region. Mr. Wood added that commercial airlines concern with noise complaints is considered in their decision to locate at certain airports. He also stated concern with overflight safety.

Dru Alberti, 18644 E. Via del Oro, Queen Creek, submitted written comments opposed.

The Public Hearing was closed.

Council had further discussion on the amendment.

Motion: Valenzuela

Second: Hildebrandt

To deny the GP06-003 request for a text amendment and to deny the residential request.

Roll Call Vote: Unanimous

Council asked if there would be flexibility in locating commercial area(s) during the PAD process if other locations were approved in the general plan amendment. Mr. Brittingham replied that although staff recommended denial of the entire amendment, a PAD does allow commercial.

Mr. Pew stated his concurrence, but added it wasn't clear in the General Plan how many commercial sites with total of 30 acres would be viable within a PAD. Council asked staff to provide the General Plan language regarding commercial designation in a PAD. Mr. Brittingham provided the information.

Motion: Hildebrandt

Second: Valenzuela

To approve the GP06-003 request for two neighborhood commercial designations.

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Roll Call Vote: 5 - aye
2 – nay (Coletto-Cohen and Wootten)

Motion Passed.

14. Public Hearing, discussion and possible action on GP06-004/Resolution 622-06 a request by Ralph Pew of Pew and Lake, PLC for a Major General Plan Amendment to amend the General Plan Land Use Map from Very Low Density Residential and Low Density Residential to Medium Density Residential totaling 320 acres; and Very-Low Density Residential to Low Density Residential totaling 320 acres. The property is located between Cloud Road and Empire Boulevard and between Crismon and Signal Butte Roads.

This item was withdrawn.

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

Motion: Barney

Second: Coletto-Cohen

To accept the withdrawal of GP06-004/Resolution 622-06.

Vote: Unanimous

15. Public Hearing, discussion and possible action on GP06-005/Resolution 623-06 a request by Ralph Pew of Pew and Lake, PLC for a Major General Plan Amendment to amend the General Plan text to allow for vertical and horizontal mixed uses within the Town Center land use definition and to change the General Plan Land Use Map from Employment Type B and Low Density Residential (1-2 du/ac) land uses to Town Center for approximately 247 acres, which would expand the Town Center north of Rittenhouse Road and west of Ellsworth Road.

Ralph Pew, 1930 E. Brown Rd., representing the property owners, requested this amendment be withdrawn. He said a proposal would be discussed during the General Plan Update process.

The Public Hearing was opened.

Nancy Leonard, 20101 E. Superstition Dr., Queen Creek, said she appreciated Vanderbilt Farms working with the adjacent neighborhoods.

Eric Kerr, 20202 E. Superstition Dr., Queen Creek, stated his appreciation to Vanderbilt Farms for listening to and working with the neighborhoods.

Chris Clark, 20897 E. North Loop Rd., Queen Creek, Queenland Manor HOA President, stated his appreciation to Vanderbilt Farms for listening to and working with the neighborhoods.

Roseann Sweet, 20230 E. Superstition Dr., Queen Creek, said she appreciated Vanderbilt Farms working with the adjacent neighborhoods and withdrawing the application.

The Public Hearing was closed.

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Motion: Mortensen

Second: Hildebrandt

To accept the withdrawal of GP06-005/Resolution 623-06.

Vote: Unanimous

16. Public Hearing, discussion and possible action on GP06-006/Resolution 624-06 a request by Ralph Pew of Pew and Lake, PLC for a Major General Plan Amendment to amend approximately 15 acres of the General Plan Land Use Map from Low Density Residential to Neighborhood Commercial. The property is located at the northwest corner of Ellsworth and Riggs Roads.

Planner Chris Ramos reviewed the general plan amendment request and recommendation for approval by the Planning and Zoning Commission and staff. Council asked and/or discussed the following:

- Location of other commercial on Ellsworth Road? Response was: two (2) acres on the northeast corner of Riggs & Ellsworth (zoned by Maricopa County); 18 acres at Hastings Farms; and 40 acres at Empire and Ellsworth (zoned by Pinal County).
- Location of school site? Response was 12 acre site in Orchard Ranch
- Future Riggs Road improvements? Response was Riggs Road will be widened to 6 lanes.

Ralph Pew, 1930 E. Brown Rd., representing the property owners stated he was in agreement with the recommendations for approval. He said that the Orchard Ranch neighborhood would be buffered by the wash and 12 acre school site. He added that neighborhood commercial would provide convenient services to Horseshoe Park and traffic would be from existing vehicles.

The Public Hearing was opened.

Pam Newman, 20971 E. Orchard Lane, Queen Creek, spoke in opposition.

Lea & Nyle Miller, 20524 E. Orchard Lane, Queen Creek, submitted written comments in support.

Maureen McDonald, 20939 E. Orchard Lane, Queen Creek, submitted written comments opposed.

The Public Hearing was closed.

Council discussed the traffic on Riggs Road and Ellsworth Road and the Horseshoe Park Economic Analysis indicating a commercial area is needed nearby.

Motion: Valenzuela

Second: Mortensen

To approve GP06-006/Resolution 624-06 as recommended by the Planning and Zoning Commission.

Roll Call Vote: 6 – aye

1 – nay (Coletto-Cohen)

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Motion Passed.

17. Public Hearing, discussion and possible action on GP06-007/Resolution 625-06 a request by Ralph Pew of Pew and Lake, PLC for a Major General Plan Amendment to amend the General Plan Land Use Map from Medium Density Residential to Neighborhood Commercial for approximately six (6) acres located at the northeast corner of Sossaman and Realigned Rittenhouse Roads.

Planner Valerie Chambers presented the general plan amendment request and the Planning and Zoning Commission's recommendation for approval.

Ralph Pew, 1930 E. Brown Rd., representing the property owners stated he was in agreement with the recommendations for approval.

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

Motion: Mortensen

Second: Coletto-Cohen

To approve GP06-007/Resolution 625-06 as recommended by the Planning and Zoning Commission.

Roll Call Vote: Unanimous

18. Public Hearing, discussion and possible action on GP06-008/Resolution 626-06 a request by Ralph Pew of Pew and Lake, PLC for a Major General Plan Amendment to amend the General Plan text to create a new Land Use Designation of High Density Residential (12-18 du/ac) in the General Plan Land Use Element and to amend the General Plan Land Use Map from Employment Type B to High Density Residential for 27 +/- acres. The property is located approximately 400 ft. west of the northwest corner of Germann and realigned Rittenhouse Roads.

An indefinite continuance was requested.

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

Motion: Hildebrandt

Second: Valenzuela

To continue indefinitely GP06-008/Resolution 626-06.

Vote: Unanimous

19. Public Hearing, discussion and possible action on GP04-007 Major General Plan Amendment, a request by Ralph Pew of Pew and Lake, PLC to withdraw this Major General Plan Amendment application.

This item was withdrawn.

Motion: Hildebrandt

Second: Valenzuela

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To accept the withdrawal of GP04-007.

Vote: Unanimous

20. Discussion and possible action on the ballot language for a primary property tax for Fire/EMS/Law Enforcement Services.

Public Safety Division Manager Joe LaFortune reviewed the staff report and proposed ballot language and asked for direction to move forward with ballot preparation. Mr. LaFortune included timelines for the election, property tax collection and contracting with a third party provider.

Council discussed tax rates. Mr. LaFortune said a \$1.35 tax rate would be approximate to the current subscription rate and \$1.95 would be the maximum tax rate allowed, and that the actual tax rate would be set by the Council each year. Council discussed the proposed .25% sales tax increase which would generate an additional \$1.7 million towards funding three fire stations. Discussion continued in regard to the stability of a property tax vs. sales tax and the possible added burden of increased sales tax on residents. Council asked if the sales tax increase could be included in the same ballot language as the property tax. Town Attorney Bisman stated that sales tax increases are a separate decision of Council and increases can be dedicated to a particular program or purpose, similar to the sales tax increase dedicated to transportation.

Council discussed the need to educate the residents on the proposed sales tax increase.

Motion: Mortensen

Second: Valenzuela

To approve the ballot language as recommended.

Council asked for further discussion on including the sales tax increase in the ballot language. Ms. Bisman said it was unconstitutional to have two issues within one ballot question and advised against including it on the ballot. The publicity pamphlet was discussed as an opportunity for residents to submit pro or con arguments and disseminate information. Council asked how to put an item on the agenda for consideration. Interim Town Manager Kross said two Council Members can request through the Manager an item be placed on a future agenda.

Roll Call 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.

21. Discussion on **RZ06-001/SD06-020** "Belle Estates" a request submitted by Matt Everling of PlanRight Consulting, LLC for a rezoning from R1-54 to R1-35 PAD, preliminary plat and landscape approval for an eight (8) lot single-family subdivision on approximately 8.61 acres. The property is located approximately ¼ mile south of the southwest corner of Hunt Highway and Bell Road.

Planner Valerie Chambers reviewed the rezoning request and preliminary plat. She explained that the site has three washes traversing the property and impacts the design. Ms. Chambers

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stated the Planning and Zoning Commission recommended approval but staff recommends denial.

22. COMMITTEE REPORTS

A. Queen Creek Youth Commission – November 15, 2006: The Commission collected 801 food items and donated them to the Queen Creek Family Resource Center for distribution; finalized plans for the holiday tree lighting event and attended the November 28 Recreation Advisory Board meeting. The next meeting is scheduled for December 20.

B. Parks, Trails and Open Space Committee – November 21, 2006: The Committee heard updates on the Five Park Master Plan and Aquatics Feasibility Study and discussed the phasing plan for Horseshoe Park as recommended by the steering committee. The next meeting is scheduled for December 12, 2006

C. Recreation Advisory Board – November 28, 2006: The Board heard updates on CIP and Recreation programs; discussed the Fee Philosophy; incentives for Volunteer Youth Sports Coaches; Council membership on Committee. The next meeting is scheduled for January 23, 2007.

D. Budget Committee – December 4, 2006: The Committee reviewed the new format and contents of the Quarterly Financial Report; reviewed Department budget holds and amending the Financial Policy for intra-departmental line item budget reallocations under \$5,000. The next meeting date has not been set.

23. ADJOURNMENT

Motion: Valenzuela

Second: Barney

To adjourn the Regular Session at 10:53 pm.

Vote: Unanimous

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 December 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

Jennifer F. Robinson, CMC

Passed and approved on December 20, 2006.