



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

1. Call to Order

The meeting was called to order at 7:10 p.m.

2. Roll Call

Council Members present: Barney; Coletto-Cohen; Hildebrandt; Holloway; Valenzuela; Vice Mayor Wootten and Mayor Feldman-Kerr.

3. Pledge of Allegiance

Led by Mayor Feldman-Kerr.

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

A. State of the Town Address – see attached

B. Student of the Month Award – November 2005 and December 2005

Mayor Feldman-Kerr and Council Member Hildebrandt presented the following with the Student of the Month Award for November 2005:

Jasmine Duran– Desert Mountain Elementary School

Nicole Payne – Queen Creek Elementary School

Dillon Palmire – Frances Brandon Pickett Elementary School

Isaac Reed – Franklin Charter School

Kathryn Martorana – Queen Creek High School

Mayor Feldman-Kerr and Vice Mayor Wootten presented the following the Student of the Month Award for December 2005:

Nicholas Regester – Franklin Charter School

Susan Nguyen – Queen Creek Middle School

David Cratte – Frances Brandon Pickett Elementary School

Seth Clare – Desert Mountain Elementary School

Dallin Miller – Queen Creek Elementary School

Olivia Kleinlein – Barnes Elementary School

C. Front Porch Bench Winners

**Minutes for the Regular Session
Queen Creek Town Council
January 18, 2006
Page 2**

Mayor Feldman-Kerr presented Shawna Pauli (not able to attend) and Tracy McClure with front porches as winners of door prize drawings.

D. Presentation to the Town Council from San Tan Historical Society

Dave Salge, President of the San Tan Historical Society, gave a brief history of the restoration project of the Rittenhouse School. Mr. Salge presented the Queen Creek Town Council with a certificate plaque of appreciation for helping with funding of the restoration of the roof and also presented Debbie Gomez, Parks & Recreation Director and the Parks & Recreation Department with a certificate of appreciation for facilitating the use of the school for community uses.

The Meeting was recessed from 8:00 – 8:25 pm for refreshments.

Council Member Barney was excused from the meeting due to a family emergency at 8:26 p.m.

- 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.

Irene Roard-Jasso, 20861 E. Orchard Lane, Queen Creek, AZ, submitted written comments in regard to senior programs.

Mark Young, representing the Boys & Girls Club gave a report on the Holiday Festival & Parade. He said the proceeds would be used for establishing the Boys & Girls Club in Queen Creek and a portion would go to the Kiwanis Club of Queen Creek and that planning for the 2006 Parade & Festival has started.

- 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 November 9, 2005 Special Session Minutes.

B. Consideration and possible approval of the December 21, 2005 Work Study and Regular Session Minutes.

C. Consideration and possible approval of the November 2005 Financial Statement.

D. Consideration and possible approval of the reallocation of budgeted funds within the Community Development Department in the amount of \$53,097.77.

E. Consideration and possible approval of appointments to the Transportation Advisory Committee.

**Minutes for the Regular Session
Queen Creek Town Council
January 18, 2006
Page 3**

- F. Consideration and possible approval of purchases over \$10,000.
1. \$20,000 – two-day training for 20 staff members for “Fundamentals of Construction Methods“
- G. Consideration and possible approval of enhancement of broadband and telecommunication services throughout the Town of Queen Creek.
- H. Consideration and possible approval of recommended ITS (Intelligent Transportation System) standards.
- I. Consideration and possible approval of equipment standards for the construction of signalized roadway intersections.
- J. Consideration and possible approval of **Resolution 536-05** adopting a revised Traffic Calming Policy.
- K. Consideration and possible approval of a traffic calming devices for Via del Jardin.
- L. Consideration and possible approval of a professional services contract in the amount not to exceed \$1.15 million with EPS Group, Inc., for the design of the Riggs Road project between Ellsworth and Meridian Roads.
- M. Consideration and possible approval of an easement to Salt River Project Agricultural Improvement and Power District for the Bogle-Rittenhouse 69kv Transmission Line Project, located on the Hawes Road right-of-way north of Ocotillo Road.
- N. Consideration and possible approval of **Resolution 537-06** designating the Town Manager to act as the applicant’s agent for the Arizona Division of Emergency Management State Assistance Program for the repair of portions of Queen Creek Wash.
- O. Consideration and possible approval of a professional services contract in the amount not to exceed \$5,900 with LL Decker and Associates for additional public outreach meetings for the Fire Service/EMS Committee.
- P. Consideration and possible approval of **Ordinance 330-06** amending Queen Creek Town Code Chapter 9, Noise, regarding noise and barking dogs.
- Q. Consideration and possible approval of the Final Plat for Queen Creek Village Center.
- R. Consideration and possible approval of a contract in the amount not to exceed \$10,000 with Municipal Solutions, LLC for telecommunications consulting services.
- S. Consideration and possible approval of acceptance of easement dedications for portions of Sonoqui Wash for right-of-way.
- T. Consideration and possible approval of acceptance of the Cortina Subdivision Improvements – Parcels 7, 11 and 1B.

**Minutes for the Regular Session
Queen Creek Town Council
January 18, 2006
Page 4**

U. Consideration and possible approval of a contract in the amount not to exceed \$75,000 with Sell & Associates, Inc., for appraisal services in connection with the Ellsworth Road and Rittenhouse Road Improvement District.

V. Consideration and possible approval of a professional services contract in the amount not to exceed \$10,000 with J2 Engineering to provide engineering analysis of the Queen Creek Landfill.

Items H, I, J & P were removed from the Consent Calendar.

Motion: Hildebrandt **Second:** Valenzuela

To approve the remainder of the Consent Calendar as presented.

Vote: Unanimous

Item H: Staff requested an indefinite continuance.

Motion: Coletto-Cohen **Second:** Wootten

To continue Item H indefinitely.

Vote: Unanimous

Item I: Council discussed staff's recommendation for brown painted poles.

Motion: Wootten **Second:** Coletto-Cohen

To approved Item I with galvanized poles with further discussion on paint application at a future meeting.

Vote: Unanimous

Item J: Council asked if traffic counts/studies would be conducted with each request for traffic calming devices. Staff responded that the traffic engineer would determine the necessity for any studies.

Motion: Holloway **Second:** Valenzuela

To approve Item J as presented.

Vote: Unanimous

Item P: Council discussed the need to be consistent with the hours of all noise ordinances, amending the hours to begin at 5:00 am (9-1-6D and 9-1-6(E)(12) and discussed deleting reference to people passing on sidewalk or public streets (Section 9-1-6G).

Motion: Hildebrandt **Second:** Wootten

**Minutes for the Regular Session
Queen Creek Town Council
January 18, 2006
Page 5**

To approve Item P – Ordinance 330-06 with the amendments discussed above.

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. Presentation by ADOT on the Pinal County Corridor Study.

Shannon Wilhelmson, representing ADOT, gave an overview of the corridor study and results and recommendations from recent public meetings. The map of the corridor study was discussed as well as future action of the ADOT Board. There was discussion in regard to ADOT and funding of future highways and County funding of other roads. The next public meeting is scheduled for February 7, 2006 at Queen Creek Town Hall.

8. Discussion and possible action on Ordinance 332-06 Annexation 033-05 – northeast corner of Sossaman and Ocotillo Road alignment.

GIS Planner Shawny Ekadis reviewed the annexation process and state statutes. She stated that a concurrent rezoning application was also on the agenda for consideration.

Motion: Hildebrandt **Second:** Valenzuela

To approve Ordinance 332-06 Annexation 033-05.

Vote: Unanimous

9. Public Hearing on RZ13-05/S08-05 (Ordinance 329-05) Lucia at Queen Creek, a request by Greg Davis for approval of a rezoning with a PAD, Preliminary Plat and Preliminary Landscape Plan for a 67-acre, 105-lot subdivision with a density of 1.6 dwelling units. The site is designated as Medium Density Residential (2-3 dwelling units per acre) on the General Plan Land Use Map. The project is located at the northeast corner of Sossaman Road and Ocotillo Roads.

Planning Manager Fred Brittingham reviewed the rezoning request, preliminary plat, circulation plan and open space. Mr. Brittingham explained that the applicant would be dedicating Appleby right-of-way. He also explained the stipulation regarding two-story homes along Sossaman & Ocotillo Roads.

Greg Davis, of IPlan, gave a presentation on the rezoning request and preliminary plat. He discussed Appleby Road improvements and future connection to the future park; the request for 6-foot solid fencing along Appleby and other fencing detail. Council asked staff if the 6-foot solid fence was in conformance with the fencing requirements. Mr. Brittingham responded that the 60-70foot landscape buffer was being considered as an offset. He also suggested that an additional stipulation be added regarding Appleby Road and connection to the future park. Council had further discussion in regard to the 6-foot fence along Appleby Road. Mr. Davis

**Minutes for the Regular Session
Queen Creek Town Council
January 18, 2006
Page 6**

stated that a 4ft solid/2ft. view fence would be agreeable and a stipulation that lots 78 & 89 be restricted to one-story homes.

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

10. Discussion and possible action on Ordinance 329-05 (RZ13-05/S08-05) Lucia at Queen Creek.

Motion: Hildebrandt **Second:** Valenzuela

To approve Ordinance 329-05 (RZ13-05/S08-05) with the recommended stipulations including the additional stipulations regarding Appleby Road and future connection to future park also be included in the CC&R's; 4ft solid/2ft view fence or all view along Appleby Road and Lots 78 & 89 be restricted to one-story homes.

Vote: Unanimous

11. Public Hearing on Ordinance 331-06 approving a land exchange of an approximately 78-acre parcel of vacant land (known as the future "Anglin Park Site" and further identified as Assessor's Parcel Number 304-64-009B) for an approximately 130-acre vacant parcel of land (known as a portion of the "Barney Farms" property and further identified as a portion of Assessor Parcel Number 304-68-0014H) which is of substantially equal value.

Assistant Town Manager John Kross reviewed the state statutes regarding the exchange of public lands. Mr. Kross gave a brief review of the previous land exchange between the Town and Queen Creek School District. Mr. Kross stated that the larger parcel (Barney property) would allow the same amenities as planned for the Anglin property in addition to a Public Works yard facility.

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

12. Discussion and possible action on Ordinance 331-06.

Motion: Feldman-Kerr **Second:** Valenzuela

To approve Ordinance 331-06.

Vote: Unanimous

The meeting was recessed from 9:30 – 9:36 p.m.

13. Discussion and possible action on a request by Scott Ward, Santo Vallarto Development, for consideration of acceptance of maintenance of the flood system by the Town of Queen Creek within the development known as Santo Vallarto.

Community Development Director Tom Condit reviewed the drainage plan for Santo Vallarto and the notification to the developer of the requirement to sign a flood maintenance agreement. Mr. Condit said that such agreements are usually signed by county flood control districts and

**Minutes for the Regular Session
Queen Creek Town Council
January 18, 2006
Page 7**

added that the Town's insurance specifically excludes coverage for flood walls/flood control. Council asked if other communities enter into Mr. Condit this type of agreement. Mr. Condit responded that he had not been able to identify any. Council discussed a possible re-plat of the development without using a flood-wall and the Town's liability for such an agreement.

Scott Ward, explained the restrictions on the subdivision plat due to the WPA ditch and that Pinal County had initially signed the CLOMAR but will not participate in the operation & maintenance of the flood control system.

Court Rich provided further information on the operation and maintenance requirement that guarantees the maintenance of the flood system; possibility of an improvement district or Pinal County creating a "zone" of the Flood Control District and assessing a property tax for operation and maintenance. Mr. Rich requested that the Town allow permits to be issued and direct staff to continue to work with the developer and ask Maricopa County Flood Control District for assistance.

Council discussed their concerns with the Town's liability if permits are allowed to be issued before the situation is resolved. Mr. Ward stated that he would be willing to contribute to a fund to protect the Town.

Council directed staff to continue assisting the developer and working with Pinal County & Maricopa County to sign off on an agreement. Assistant Town Manager stated that Pinal County is the Flood Control authority for the project and recommends meeting with Pinal County first.

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

14. Discussion on DR08-05 - Pulte Homes presentation of two standard floor-plans, each having four elevations to be built in Emperor Estates Phase 4, on a total of 76 lots.

Planner Chris Ramos gave a presentation of the proposed standard plans for Emperor Estates Phase 4. Council discussed front porch requirements; side elevations and roof elevations.

15. Committee Reports

A. Queen Creek Youth Commission – December 21, 2005 – meeting was cancelled due to lack of quorum.

B. Parks, Trails and Open Space Committee – January 17, 2006 – the Committee heard updates regarding the Master Plan; Horseshoe Park; Aquatics Facility and Queen Creek Wash. The La Jara Farms equestrian arena amenities was discussed as well as possible projects for the Heritage Fund grant. A meeting schedule was also decided upon.

C. Fire Service Study Committee – January 10, 2006 – the committee name was changed to Fire/EMS Services Study Committee. The committee discussed financing methods and impact of a property tax and public participation.

**Minutes for the Regular Session
Queen Creek Town Council
January 18, 2006
Page 8**

D. Transportation Advisory Committee – January 12, 2006 – the committee discussed the mission/purpose of the committee; reviewed the 5-year TIP and approved a four-month work program. The next meeting is scheduled for February 8, 2006.

E. Queen Creek AIR Group – January 5, 2006 – the group members participated in a tour and presentation of the ASU Polytechnic campus simulator flight facility; discussed Williams Gateway Airport partnerships and current events and news.

16. Adjournment

Motion: Valenzuela **Second:** Holloway

To adjourn the Regular Session at 10: 22 p.m.

Vote: Unanimous

Jennifer F. Robinson, CMC

TOWN OF QUEEN CREEK

Wendy Feldman-Kerr, 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 January 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.

Jennifer F. Robinson, CMC

Passed and approved on February 15, 2006.