



**Minutes**  
**Regular Session**  
**Queen Creek Town Council**  
Queen Creek Town Hall, 22350 S. Ellsworth Road  
Council Chambers  
May 2, 2012  
7:00 p.m.

**1. Call to Order**

The meeting was called to order at 7:00pm.

**2. Roll Call** (one or more members of the Council may participate by telephone)

Council Members present: Alston; Barnes; Benning; Oliphant; Wheatley; Vice Mayor Brown and Mayor Barney.

**3. Pledge of Allegiance:** Led by Scout Jaden Meeks, Scout Troop 303

**4. Invocation:** Pastor Ben Lee – Living Waters Bible Church

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

A. Recognition of Warren McGregor, Kyle “Chaz” Welch, Dylan Lambert and Jayden Meeks, Star Scouts of Troop 303 for their life-saving rescue efforts on April 21, 2012.

Mayor Barney recounted the events on April 21, 2012 that led to Warren McGregor, Kyle “Chaz” Welch, Dylan Lambert and Jayden Meeks actions that saved David Lee from drowning and presented them with certificates declaring each a Queen Creek Hero.

PIO Marnie Schubert announced that it was Mayor Barney’s birthday and Mrs. Barney had delivered a birthday cake for the occasion.

**6. Committee Reports**

A. Council summary reports on meetings and/or conferences attended. This may include but is not limited to Phoenix-Mesa Gateway Airport; MAG; East Valley Partnership; CAAG. The Council will not propose, discuss, deliberate or take legal action on any matter in the summary unless the specific matter is properly noticed for legal action.

Council Member Benning reported on the April 26<sup>th</sup> Pinal County Alliance Meeting held in Apache Junction. The committee had presentations and discussion on the Lower Santa Cruz River workplan; redistricting; legislative issues and the process for replacing Pinal County Supervisor Brian Martyn who resigned earlier.

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Mayor Barney reported on the Maricopa County Association of Governments (MAG) meeting held on April 25<sup>th</sup>. The committee received and discussed updates on the Regional Freeway and Highway Life Cycle Program; border support resolution and development of the FY13 MAG Work program and annual budget.

B. Partner agencies quarterly or periodic updates to Council. This may include but is not limited to Queen Creek Chamber of Commerce; Queen Creek Performing Arts Center; Boys & Girls Club of East Valley; and Maricopa or Pinal County Board of Supervisors or other governmental agencies. The Council will not propose, discuss, deliberate or take legal action on any matter in the summary unless the specific matter is properly noticed for legal action.

Boys & Girls Club Quarterly Report: Kevin McKoy, Branch Executive Director, provided current statistics on club membership; attendance at the Before and After School programs and teen program. Mr. McKoy reviewed 4<sup>th</sup> quarter plans to extend the teen program and hours of operation and leadership training. Council requested more detailed information on club membership within the Town limits with the next report.

Roots N' Boots presentation and report: Jon Wootten, President of Friends of Horseshoe Park reported that the top two goals set by the Council for the event: 1) break even; and 2) hold a successful community event. Mr. Wootten discussed the successes as well as areas to improve for the next event. He also provided information on the sponsors stating that the top two out of 51 were Queen Creek businesses. Mr. Wootten said a 2013 non-profit funding request had been submitted for consideration to the Budget Committee and the event is scheduled for March 8-10, 2013. Council thanked Mr. Wootten, Friends of Horseshoe Park and all of the volunteers.

C. Budget Committee – April 30, 2012: Vice Mayor Brown, Budget Committee Chair, reported on the committee's consideration and recommendations on the FY12/13 operating budget. Town Manager Kross provided an overview of the budget and Assistant Town Manager Flynn reviewed each department and cost center budgets; and a brief overview of the Capital Improvements Program was provided. The Budget Committee recommended the proposed budget be considered by the Council at the May 16, 2012 Council meeting.

**7. 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.

**8. Consent Calendar:** Matters listed under the Consent Calendar are considered to be routine and will be enacted by one motion and one vote. Public Hearing items are designated with an asterisk (\*). Prior to consideration of the Consent Agenda, the Mayor will ask whether any member of the public wishes to remove a Public Hearing item for

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separate consideration. Members of the Council and or staff may remove any item for separate consideration.

A. Consideration and possible approval of the April 18, 2012 Work Study and Regular Session Minutes.

B. Consideration and possible approval of a budget reallocation and increase to Purchase Order #20120077 with Dana Kepner, Inc., in the amount of \$30,000 for the purchase, repair and testing of Sensus water meters, fittings and accessories.

C. Consideration and possible approval of **Resolution 902-12** authorizing the purchase agreement with Victoria Towne Center Mortgage LLC, in the amount not to exceed \$810,000 (including closing and other associated costs) for property located at the northwest corner of Ellsworth Road and Maya Road.

**Motion to approve the Consent Calendar as presented (Alston/Benning/Unanimous)**

**PUBLIC HEARINGS:** If you wish to speak to the Council on an item listed as a Public Hearing, 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.

**9. Public Hearing and possible approval of RZ12-006/SP12-007/ORDINANCE 511-12 “Banner Health Center – Queen Creek”** a request by C. Dale Willis on behalf of Victoria Lund Investment Group, LLC to rezone approximately 11.78 acres on the west side of Ellsworth Loop Road, south of Victoria Lane from R-2 PAD to C-2 PAD and site plan approval for Banner Health Center – Queen Creek.

Planning Manager Wayne Balmer reviewed the rezoning and site plan request for a health center within the Victoria project. The project area is 11.78 acres with a proposed zoning of C2 and two phases. Mr. Balmer reviewed both phase plans including site plans, elevations and landscaping.

Mr. Balmer also reviewed the variances requested by the applicant in regard to parking lot requirements including landscaping, light pole heights, parking space widths and parking in front of building; bufferyard landscaping to the west; and building height.

Mr. Balmer discussed the Planning and Zoning Commission’s recommendations for approval including a condition of for a public art piece. Banner Health Center responded that they were in agreement with all conditions except for the public art requirement. Mr. Balmer presented Banner’s proposal to enhance the entryway with a bench and raised planters – providing outdoor seating which would be distinctive to the Queen Creek location.

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Council discussed concerns with narrowing the parking space width and asked for more information regarding the Planning & Zoning Commission's request for a public art piece. Mr. Balmer explained that the Commission wanted something unique and requested specifics on budget, location and them of the art piece be brought back to the Commission for approval/recommendation. They did not provide specifics on what they wanted to see but wanted to be sure that the art piece was provided. He added that Banner submitted a proposal afterwards.

Council asked if this requirement was in the zoning ordinance. Mr. Balmer responded that it applies to big box retail uses and provided examples of public art at the shopping centers. There was discussion then on the possibility of plumbing additional electrical and water for an art piece in the future.

Bill Smith and Paul Clum, both representing Banner, addressed questions and concerns regarding parking and reasons for requesting the variances; services provided at the facility and type of traffic generated within the facility parking. They also agreed to the plumbing suggestion.

**Motion to approve RZ12-006/SP12-007/ORDINANCE 511-12 "Banner Health Center – Queen Creek" as recommended by the Planning and Zoning Commission except deleting Conditions #3 and #4 referring to the Commission's review and requirements of a public art piece and adding a new Condition # 3 requiring the installation of an additional bench and landscaped planter area at the building entrance with electrical and water plumbed to the planter for a future art piece (Brown/Benning/Unanimous)**

**FINAL ACTION:** If you wish to speak to the Council on an item listed under Final 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.

**10.** Discussion and possible action on **DR12-017 "Blandford Homes at The Pecans"** a request by Christa Walker on behalf of Blandford Homes for approval of four (4) floor plans with fourteen elevations each to be constructed in The Pecans subdivision located on the south side of Chandler Heights Road between Ellsworth and Hawes Roads.

Planning Manager Balmer briefly reviewed the rezoning history of The Pecans and requirements for on-lot pecan tree preservation. He then presented the proposed floor plans and elevations that uphold the "old world theme" previously approved and currently approved by the homeowners association and meet Town requirements. Mr. Balmer added that Blandford had originally requested the design review for 38 lots but now wants an additional 44 lots.

Discussion was in regard to the importance of the pecan tree preservation to the developer, each lot/home buyer and the community. Mr. Balmer explained that each lot would have different preservation specifics based on the model of home selected – and that not all homes would fit on all lots. Mr. Balmer also reviewed the Planning and

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Zoning Commission's request for enhanced accessory building elevations – which the applicant has provided. Council discussed the garage door features.

Council further discussed concerns with the tree preservation and the amount of trees that may be removed from the front yards as well as more information on how the trees are maintained by the homeowners association.

Kevin Petersen, representing the applicant, addressed the concerns of Council and explained the transition from flood irrigation to drip ring/bubbler irrigation resulting in a reformed root system.

**Motion to approve DR12-017 “Blandford Homes at The Pecans”  
(Brown/Benning/Unanimous)**

Council asked if smaller homes would be allowed on the privately owned lots. Mr. Petersen responded that the CC & R's govern the size of home and each is considered on a case by case basis by the design review committee.

Crystal Walker, representing Blandford Homes, affirmed tree preservation commitments and reported that they have found a new RV garage door that is made of steel with a wood look and carriage door elements. She said custom cedar doors are also available.

**11.** Discussion and possible action on **DR12-028 “Maracay Homes at Montelena”** a request by Alex Holmquist of Maracay Homes for approval of six (6) floor plans with three elevations each to be constructed on the 56 remaining lots in the Montelena Subdivision located at the northeast corner of Chandler Heights and Hawes Roads.

Planning Manager Balmer presented the proposed floor plans and elevations to be constructed as an in-fill project for the remaining 56 lots in Montelena. Mr. Balmer added that the homeowner's association board reviewed and approved the elevations.

**Motion to approve DR12-028 “Maracay Homes at Montelena”  
(Brown/Wheatley/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.

**12.** Presentation on the Annual Pavement Management Plan.

Street Superintendent Jan Martin gave a presentation and review of five-year Annual Pavement Management Plan. Ms. Martin stated that it is year four of the plan (2009-2014) and reviewed funding requests and criteria for selecting projects within the plan. Ms. Martin provided information on the condition status of current pavement; residential slurry seal; rejuvenator project; microseal and chipseal projects; proposed purchase of heavy equipment and bridge and sidewalk repairs.

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**13. Motion to adjourn to Executive Session:** The Council may reconvene the Executive Session for any of the items listed on the Executive Session Agenda.

The Council reconvened to Executive Session at 9:05pm.

**14. Adjournment**

The Regular Session reconvened and adjourned at 9:20pm.

TOWN OF QUEEN CREEK

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Gail Barney, Mayor

Attest:

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Jennifer F. Robinson, MMC

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 May 2, 2012 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, MMC

Passed and approved on May 16, 2012.