



**Minutes**  
**Regular Session**  
**Queen Creek Town Council**  
Queen Creek Town Hall, 22350 S. Ellsworth Road  
Council Chambers  
June 6, 2012  
7:00 p.m.

**1. Call to Order**

The meeting was called to order at 7:01pm.

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

Council Members present: Benning; Oliphant; Wheatley; Vice Mayor Brown and Mayor Barney. Council Member Barnes was absent.

**3. Pledge of Allegiance:**

**4. Invocation:** A moment of silence was observed.

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

Mayor Barney recognized former Mayor Schnepf.

- Citizen Leadership Graduation: the following were presented with Certificates for participating and graduating from the 2011/2012 Citizen Leadership Institute:

David Bond, Sue Denton, Sally Galci, Brett Garner, David Gast, Phil Solis, Patrick Sullivan, Alma Yarbrough and James Yarbrough. Also graduating but absent: Georgia Gudykunst, James Yarn and Bradley Young.

- Eagle Scout Recognition:

Connor Schnepf – Troop 825 was recognized for his work and coordination of installing new benches and flower pots at the Town Hall fountain which was donated by Ray Schnepf, Connor's grandfather.

Dallin Michael Heward – Troop 6183 was recognized for his work and coordination making improvements at Desert Mountain Park by installing irrigation lines, planting trees and spreading over 100 tons of decomposed granite.

- Volunteer Service Recognition:

Independent Life Services – each volunteer was recognized for their continuing project of cleaning trash & debris from Queen Creek Wash.

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Iglesia de Dios Casa de Vida – the group was recognized for painting the playground structure at Founders' Park.

Mayor Barney congratulated Council Members Barnes and Benning and Vice Mayor Brown on their re-election. He also announced the Ice Cream Social to be held on Saturday June 9 at the Queen Creek Library.

The meeting recessed from 7:15pm – 7:25pm.

**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 Wheatley reported on the congressional debate sponsored by the East Valley Chambers of Commerce.

Mayor Barney reported on the Gateway/Northern Pinal Area Alliance of Governments Committee meeting held May 21, 2012. Issues discussed included the North-South Freeway in Pinal County and updates on efforts to attract the FAA Unmanned Aircraft Systems project and the Eastmark Development in Mesa.

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.

- Presentation on the grand opening of Riggs Road Bridge and Sonoqui Wash Phase II – Maricopa County Flood Control District project: Public Works Division Manager Troy White presented data and photos of the project and announced the Grand Opening of the Bridge on June 19, 2012.

C. Economic Development Commission – May 23, 2012: Council Member Wheatley reported on a presentation by Mike Hutchinson from the East Valley Aerospace and Aviation Alliance; staff's update on the QC Inc., and discussion on the draft Economic Development Strategic Plan. The next meeting is June 27, 2012.

**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.

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

A. Consideration and possible approval of the May 16, 2012 Work Study and Regular Session Minutes.

B. Consideration and possible approval of withdrawing participation as a member of the Maricopa County Community Development Advisory Committee.

C. Consideration and possible approval of an amendment to an existing Intergovernmental Agreement (Town Contract 2010-082) with the Arizona Department of Transportation (ADOT) to allow the State to acquire federal funds for Phase II of the Queen Creek Town-wide ITS Development Project (ADOT Proj. No: QCR-0(207)(A).

D. Consideration and possible approval of the Map of Dedication for Queen Creek Road, Crismon Road, Ryan Road and 220<sup>th</sup> Street Rights-of-Way, a request by Jorde Farms, Inc.

E. Consideration and possible approval of the Map of Dedication for Rock Point Church, a request by Rock Point Church.

F. Consideration and possible approval of a Warranty Deed which deeds and conveys a portion of Ellsworth Road to the Town of Queen Creek, a request by Queen Creek Unified School District.

G. Consideration and possible approval of a Warranty Deed which deeds and conveys three landscape tracts located within a portion of the public roadway of the Ash Creek Estates subdivision to the Town of Queen Creek, a request by the Ash Creek Estates Homeowner's Association.

H. Consideration and possible approval of a Work Order to CPC Construction, Inc. (Town Contract 2011-082), in the amount of \$183,908 for the construction of the Rittenhouse Road improvements for a westbound left-turn lane at 198<sup>th</sup> Street. *A portion of this project will be funded from Maricopa County's Special Project Fund (SPF) in the amount of \$100,000. The remaining cost of \$83,908 is budgeted within the Town's adopted FY11/12 Capital Improvement Program.*

I. Consideration and possible approval of Amendment No. 1 to the Intergovernmental Agreement between Maricopa County Flood Control District (MCFCD), Town of Gilbert and the Town of Queen Creek for the Utility Relocations, Rights-of-way Acquisition,

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Construction, Construction Management, Operations and Maintenance of the Sonoqui Wash Channelization – Queen Creek Wash to Chandler Heights.

J. Consideration and possible approval of an Intergovernmental Agreement between Maricopa County Department of Transportation (MCDOT) and Town of Queen Creek for the exchange of services (Entente).

K. Consideration and possible approval of the Amendment #2 to the Amended and Restated Joint Powers Authority Agreement concerning Phoenix-Mesa Gateway Airport (PMGA).

L. Consideration and possible approval of **Resolution 903-12** modifying Assessment No. 10.01 for Improvement District No. 001 of the Town of Queen Creek, Arizona.

**\*M.** Public Hearing and possible approval of **TA12-031/Ordinance 512-12** a Town-initiated Text Amendment to Article 6.8, Supplemental Use Regulations, Home-Based Occupations of the Zoning Ordinance.

**Motion to approve the Consent Calendar as presented**  
(Wheatley/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 action on “The Church Farm” **RZ11-038/SD11-039/Ordinance 510-12** a request by Greg Davis of IPlan Consulting on behalf of William Lyon Homes to rezone 879 acres from R1-43 to Planned Area Development (PAD) with underlying zoning districts of R/C, PQ/P, C-2, R1-4, R1-5, R1-7 and R1-9 and approval of a Preliminary Plat and Landscape Plan for a master planned single-family subdivision. The project is located at the southeast corner of Signal Butte and Ocotillo Roads. *(Continued from April 18, 2012 Council Meeting)*

Planner Dave Williams reviewed the rezoning request for C-2, R1-4, R1-5, R1-7 and R1-9 as well as R/C (recreation/conservation) and PQ/P (public/quasi public – school). Mr. Williams showed the preliminary plat allowing 2310 lots with an overall density of 2.89 dwelling units per acre. He noted that the maximum density allowed is 3.05 dwelling units per acre. The preliminary plat shows 12 parcels.

Mr. Williams explained that the rezoning request implements a previous general plan amendment. He reviewed the PAD requests and stated that staff does not support the 5’ garage setback on the R1-4 and R1-5 lots.

Mr. Williams continued the review highlighting the eleven separate themed parks; trail node incorporating the Trails Plan amenities of an arena, turn-out pens and restrooms; and the commercial parcel at Signal Butte & Ocotillo Roads. Mr. Williams explained the

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expanded neighborhood outreach which included social media (Facebook, 4-Square, Twitter and QC codes which resulted in 16 downloads.

The Planning and Zoning Commission recommended approval with stipulations.

Council requested additional clarification on the request for reduction in covered patio area. Mr. Williams explained that the 180 sq. ft. total covered patio area would allow for an additional 20% rear patio size to create more outdoor living space.

There was also discussion on the design standards for the R1-4 and R1-5 zoning districts that will be included in the Zoning Ordinance update. Mr. Williams stated that the current design standards need to be met. Additional discussion was in regard to the reduction from 45% to 40% garage front.

Ralph Pew, 1744 S. Val Vista , representing the applicant, stated that Charlie Caldwell and representatives from William Lyons Homes were available for questions.

Mr. Pew stated that the Church Farm project has been an eight-year project that includes 230 acres of open space. He said the applicant agrees with all stipulations/conditions as recommended. He also discussed the improvements to Meridian Road, wash improvements and parks & trails that would come as a result of this project.

Andy Baron provided detailed park designs and themes.

There was additional discussion on the uniqueness of the project design but lack of design standards for the R1-4 and R1-5 zoning districts. Council discussed some possible additional staggering of homes in the densest parcels. Mr. Pew responded that changing lot layout and staggering in the R1-4 & R1-5 parcels would be difficult without major revisions to the preliminary plat. Additional comments on possible staggering on select lots were discussed.

Mr. Pew responded that the total number of lots was important for the project and any increase of lot sizes would result in the decrease of open space and park areas. He did state that some type of variation could be looked at administratively with staff.

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

**Motion to approve RZ11-038/SD11-039/Ordinance 510-12 with the stipulations as approved by the Planning and Zoning Commission with the additional stipulation that reference to the R1-4 and R1-5 design standards are case specific (Benning)**

Town Attorney Bisman advised that the rezoning request presented to Council provides no intent to amend the Zoning Ordinance.

Council Member Benning amended the motion to remove the additional stipulation but requested that a note be included in the approval referencing the design standards.

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**Second:** Brown  
**Vote:** Unanimous

**10. Public Hearing on the proposed Town Budget and property tax levy for FY12/13.**

Town Manager Kross reviewed the requirements to hold a public hearing on the Budget and proposed property tax levy including the seven day waiting period before adopting the tax levy. The tax levy adoption is scheduled for June 20, 2012. Mr. Kross stated the budget for FY2012-2013 is \$59.8 million and includes several CIP projects.

The property tax levy will be \$3,780,217. Mr. Kross explained that the tax rate is remaining the same but tax revenues are down due to lower property valuations.

Mr. Kross thanked the staff and Budget Committee for creating the budget.

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

**11. Discussion and possible action on Resolution 904-12 adopting the FY12/13 Town Budget.**

**Motion to approve Resolution 904-12 adopting the FY2012-2013 Town Budget**  
(Wheatley/Oliphant/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.

**12. Discussion and possible action on the appointment of a Vice Mayor.**

Mayor Barney thanked Vice Mayor Brown for serving as the Vice Mayor for the past year representing the community and the Mayor.

Mayor Barney nominated Council Member Benning to serve as Vice Mayor for the next year. (GB/JP/Unanimous)

**13. Presentation and possible action on the End of Legislation Session Report.**

Intergovernmental Liaison Wendy Kaserman highlighted several legislative bills that were defeated including: a regulatory tax credit; requirement to hold three public hearings prior to voting on any regulation; requirement to provide water service to unincorporated areas and strict requirements on government entities that prohibit firearms in buildings.

Ms. Kaserman also highlighted two bills that were passed but impact cities and towns: SB 1442 – regarding offsets to state shared revenue and HB 2826 – election consolidation that has the biggest impact on candidate elections and home rule in

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Queen Creek. Ms. Kaserman stated that work will be moving forward to amend these two bills.

Ms. Kaserman explained that one successful bill did pass which eliminated the alternative contribution rate for the Public Safety Personnel Retirement System (PSPRS) but it did not apply to the alternative contribution rate for Arizona State Retirement System (ASRS).

**14.** Discussion and possible direction to staff to submit a resolution to the League of Arizona Cities and Towns related to the Arizona State Retirement System and the Alternative Contribution Rate established in 2011.

Ms. Kaserman stated the deadline for submitting a resolution to the League is June 15 and requested direction on submitting a proposal to hold harmless those employers who hired retired ASRS employees prior to the effective date of the alternative contribution rate. Ms. Kaserman said the potential savings for Queen Creek could be \$20,000/year.

**Motion to draft and send a League resolution proposal regarding the alternative contribution rate for ASRS (Brown/Benning/Unanimous)**

It was noted that if a League resolution is not successful then staff should work directly with Rep. Pierce.

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

*None.*

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

*None.*

**16. Adjournment**

**Motion to adjourn at 8:46pm (Brown/Wheatley/Unanimous)**

TOWN OF QUEEN CREEK

\_\_\_\_\_  
Gail Barney, Mayor

ATTEST:

\_\_\_\_\_  
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 June 6, 2012 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, MMC

Passed and approved on July 18, 2012.