



Minutes
Regular Session
Queen Creek Town Council
Queen Creek Town Hall, 22350 S. Ellsworth Road
Council Chambers
November 7, 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: Barnes; Brown; Gad; Wheatley; Vice Mayor Benning and Mayor Barney.

Mayor Barney excused Council Member Oliphant due to family matters and offered condolences to her family.

3. Pledge of Allegiance: Led by Keiran Dunlap of Dragon Patrol Pack 738.

4. Invocation: Pastor Ben Lee – Living Waters Bible Church was unable to attend and Mayor Barney called for a moment of silence.

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

A. Webelos II Den Leaders, Dragon Patrol Pack 738 was recognized for trimming vegetation and cleaning up the equestrian trail in Queen Creek Wash near Desert Mountain Park. The Pack provided more than 40 hours of service hours.

B. Eagle Scout Jacob D'Wayne Jones, Crew 9668 was recognized for building eight structures with individual compartments to hold helmets, gloves and other items for ball players and coaches at Desert Mountain Park. He organized a group of 35 volunteers and provided 250 hours of service hours.

C. Central Christian Church was recognized for providing 225 volunteer hours with 90 volunteers cleaning and improving playground areas, shrubbery, painting of curbs, fire hydrants, bike racks, BBQ grills and exterior doors at Desert Mountain Park.

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.

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Vice Mayor Benning reported on the following meetings:

Central Arizona Governments (CAG) Executive Committee – October 18, 2012: Main discussion was on the process for recruiting a new Executive Director and consideration of the possible expansion of Maricopa Association of Governments (MAG) planning boundaries.

Joint Planning Advisory Committee – October 30, 2012: This committee studies the Arizona Sun Corridor and has recently completed the Freight Transportation Framework Study. Vice Mayor Benning provided information on the study and the future opportunities.

Mayor Barney reported on the following meetings:

Maricopa Association of Governments (MAG) Regional Council – October 24, 2012: The Council approved a request from City of Mesa to remove 16 projects from the Arterial Life Cycle Program and use those federal funds on the 1.9 mile extension of the light rail from Mesa Drive to Gilbert Road. The Council also had presentations on the Annual Report of Proposition 400 (sales tax for transportation projects) and the possibility of high occupancy toll lanes in the Phoenix area. The next meeting is December 5, 2012.

Maricopa Association of Governments (MAG) Economic Development Committee – November 6, 2012: The committee was presented a report from Union Pacific Railroad on Arizona business activities; a presentation by Elliot D. Pollack & Company on economic development outlook and an update from the Transportation and Trade Corridor Alliance on future infrastructure. The next meeting is December 4, 2012.

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 – 1st Quarter Report

Kevin McCoy, QC Branch Executive Director, reported on the membership, attendance and activities of the Club. The membership is at 344 with 240 verified Town residents and 126 attending QCUSD schools. Mr. McCoy also provided information on the 2nd Quarter plans to continue developing the teen program, community partnerships and participating in the national programs.

C. Economic Development Commission – October 24, 2012: Council Member Gad reported on the Commission's discussion on the new Strategic Plan targeted industry sector Family/Youth & Children Activity Destinations; presentation from SRP on water regulation in Arizona and update on permitting activities from Wayne Balmer. The

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Commission also discussed the results of the Economic Impact Study and amending the Economic Development Commission by-laws to conform with the recently approved amended Standard Form By-laws for Council appointed committees. The next meeting is November 28, 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.

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 October 3, 2012 Work Study and Regular Session Minutes.

B. Consideration and possible approval of the October 17, 2012 Work Study and Regular Session Minutes.

C. Consideration and possible approval Amendment No. 1 to the Intergovernmental Agreement between Maricopa County Flood Control District and the Town of Queen Creek (Town Contract 2009-88) for the construction of Sonoqui Wash Phase II (IGA FCD 2009A011A) extending the Town's reimbursement payments to July 2016.

D. Consideration and possible approval of an Equipment Purchase Contract with H-GAC/Crafco for the purchase of a SS125 Melter/Crack Sealer Diesel Compressor in the amount of \$52,482.55.

E. Consideration and possible approval of a Cable License Agreement between the Town of Queen Creek and Qwest Broadband Services Inc., dba CenturyLink.

F. Consideration and possible approval of Work Order #001 to AJP Electric, Inc. (Contract 2012-002) in an amount not to exceed \$49,794.80 for the construction of a new traffic signal at the intersection of Chandler Heights & Sossaman Roads.

G. Consideration and possible approval of a Map of Dedication for Chandler Heights and Hawes Roads, a request by Schoolhouse Queen Creek, LLC.

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H. Consideration and possible approval of **Resolution 911-12** Intention to Order the Purchase of Electricity for a Streetlight Improvement District for Villagio – SLID #65, No. 2012-001.

I. Consideration and possible approval of **Resolution 912-12** Ordering the Improvements for the purpose of purchasing electricity for a Streetlight Improvement District for Villagio– SLID #65, No. 2012-001.

J. Consideration and possible approval of **DR12-053** “Meritage at Victoria”, 50’ Series, a request by Greg Davis on behalf of Meritage Homes for approval of six (6) new floor plans with three (3) elevations each to be constructed in Parcel 11A on 111 lots of the Victoria Subdivision located at the northeast corner of Ocotillo & Hawes Roads.

K. Consideration and possible approval of **DR12-068** “Meritage at Victoria”, 60’ Series, a request by Greg Davis on behalf of Meritage Homes for approval of six (6) new floor plans with three (3) elevations each to be constructed in Parcel 11 on 77 lots of the Victoria Subdivision located at the northeast corner of Ocotillo and Hawes Roads.

*L. Public Hearing and possible *continuance* of **RZ12-057/SD12-058 Ocotillo Heights, Phase 2**. A continuance to the December 5, 2012 Council Meeting has been requested.

Council requested items J & K removed for discussion.

Motion to approve Items A-I and L as presented (Brown/Benning/Unanimous)

Item J: Council asked for clarification on Condition #3 regarding incorporating windows into the design of the garage. Planner Dave Williams provided Council with a revised Conditions of Approval as follows:

#3. Garage doors shown in the color elevations shall be used, not the garage doors as shown in Tab 8 – Materials and Colors.

#4. Options reducing the required setback of the face of the garage to livable space to less than 5’ shall not be allowed.

#5. All homes shall adhere to building setbacks set forth in Ordinance 518-12.

Mr. Williams added that the applicant Meritage Homes is in agreement with the changes.

Motion to approve Item J DR12-053 “Meritage at Victoria”, 50’ Series with the revised Conditions #3, 4 and 5 (Benning/Barnes/Unanimous)

Item K: Council presented the same concerns as with DR12-053. Mr. Williams stated that the Conditions on DR12-068 can be revised with the same conditions as DR12-053. There was discussion on the numerical order of conditions.

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Motion to approve Item K DR12-068 "Meritage at Victoria, 60' Series with the revised Conditions as follows:

#2. Garage doors shown in the color elevations shall be used, not the garage doors as shown in Tab 8 – Materials and Colors.

#8. Options reducing the required setback of the face of the garage to livable space to less than 5' shall not be allowed.

#9. All homes shall adhere to building setbacks set forth in Ordinance 518-12.

(Benning/Barnes/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.

None.

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.

9. Discussion and possible approval of a one-year Marketing Partnership Agreement with The Old Town Queen Creek Alliance.

Economic Development Director Doreen Cott provided background information on the Old Town Queen Creek Alliance, which is a group of downtown/Town Center businesses that is working closely with the Queen Creek Chamber of Commerce to strengthen those businesses, provide special events and create a marketing brochure highlighting their businesses. Ms. Cott presented the Alliance's request to become a marketing partner with a similar agreement as the other Marketing Partnerships with The Olive Mill, Schnepf Farms, Barney Family Sports Complex and Queen Creek Performing Arts Center. She explained that staff would work with the Alliance to develop a final agreement for Council to consider at a future meeting.

Council discussed concerns with the boundaries of the Alliance and having two banners at the Ellsworth/Rittenhouse underpass. Ms. Cott clarified that the proposed agreement would allow the Alliance to use the west side to promote an event as the other partnership agreements allow.

Motion to approve a one-year Marketing Partnership Agreement with The Old Town Queen Creek Alliance (Brown/Barnes/5-1 (Gad) **Motion Passed.**

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There was further discussion on staff's role in administering the partnership including scheduling the banner display (west side only) and the success of the Chamber to get those businesses in the Alliance to become Chamber members.

Marquis Scott, Executive Director of the Queen Creek Chamber of Commerce, responded that many businesses are current members and others are being encouraged to join. He discussed the primary purpose of the Chamber was to guide businesses and membership secondary. He also stated that non-member businesses receive no Chamber benefits other than his attendance at monthly Alliance meetings. Mr. Scott reviewed the various membership fees based on number of employees and whether non-profit.

Discussion continued on the banners being event specific, and the Alliance being a sponsor of that event. The economic development opportunities for members of the Alliance were discussed as well as concerns that businesses located outside of the "boundary" could create divisiveness.

10. Discussion and possible approval to utilize the east side of Ellsworth Road Underpass to promote Queen Creek businesses.

Marquis Scott, Executive Director of the Queen Creek Chamber of Commerce, presented a request on behalf of the Old Town Queen Creek Alliance to partner with the Town to advertise Queen Creek businesses on the east side of the Ellsworth/Rittenhouse underpass. Mr. Scott showed examples of banners and discussed following the same schedule as the west side banner. Mr. Scott added that the Chamber would be responsible for scheduling banners and administering the program and all moneys received from the cost of the banner would go to the Town Center Fund to be reinvested in the Town Center. He pointed out that the program would be for all Queen Creek businesses, not just Alliance members.

Council discussed banners advertising for events vs. advertising businesses; sign restrictions and conflicts with allowing advertising signs at major intersections.

No motion was offered.

11. Discussion and possible approval of **Resolution 920-12** authorizing and directing the Mayor, Town Manager, Town Clerk and Town Attorney to do all acts, execute all documents and pay all fees necessary for the acquisition of the assets of the H2O, Inc. Water Utility.

Assistant Town Manager Patrick Flynn briefly explained that the proposed resolution would allow the formal process of acquiring the H2O, Inc. water utility. He stated that future documents would be presented for Council approval as the process moves forward.

There was discussion on the purpose and opportunities for acquiring the company, including the 3 ½ square miles of service area within the Town limits.

Motion to approve Resolution 920-12 (Brown/Gad/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 and discussion on SB1598 Timelines.

No further discussion.

13. Discussion on the Draft 2013-2018 Corporate Strategic Plan.

Town Manager John Kross reviewed the updated draft Corporate Strategic Plan that incorporates feedback from the Council Retreat and Town staff. The following Key Result Area (KRA) and Goals were introduced:

KRA 1: Capital Improvement Program – Goal 2: updating Small Area Transportation Study (SATS) and Goal 3: Updating East Park Master Plan

KRA 2: Community Involvement – Goal 3: Continue transparency with governance model

KRA 5: Financial Management/Internal Services and Sustainability – Goal 4: SB1598 Implementation; Goal 5: SWOT Analysis of Development Services Department; and Goal 6: Technology Education and Training Initiative

KRA 6: Image and Identity – Goal 3: Identify and develop Town's brand

KRA 8: Land Use and Economic Development – Goal 9: Infrastructure analysis for Planning area within State Lands; Goal 10: General Plan Update 2015

KRA 9: Public Safety – Goal 6: Analyze technology needs and industry trends for possible changes; Goal 7: Update Law Enforcement Master Plan

KRA 10: Technology – Goal 3: Update permit building application and inspection system for streamlining, reporting and overall efficiencies; Goal 4: Upgrade technology for Council meetings

Mr. Kross added that KRA 8 Goal 5 regarding enhancing opportunities for Queen Creek businesses to be successful would also be linked to the SB 1598 requirements.

Council commented on the Citizen Survey results indicating that there is less contact with government and discussed the possibility of adding neighborhood tours or similar events to be able to see what could be improved in specific areas and get input from citizens on issues specific to their neighborhood or area of Town. Mr. Kross responded that the feedback on community outreach can be incorporated into the draft for final consideration at the December 5, 2012 Council meeting and that additional outreach activities can be discussed during the budget process.

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14. Discussion on residential design standard options.

Planning Administrator Wayne Balmer stated this item was a follow-up from Council's request for review of Design Standards, specifically garage door face plane requirements. Mr. Balmer said he contacted homebuilders to get their feedback regarding design standards. Mr. Balmer presented two staff recommended options for further consideration of the issue:

1. Keep the current 20' garage as standard but as a guideline instead of requirement. This would allow applicants to request a modification to the 40% garage face plane and the Planning Commission and Town Council could decide if the architectural features support it.

2. Update the Residential Design Guidelines through a Council appointed committee.

Council discussed support for a committee to review and make recommendations on the current design standards with the majority of committee members being Town residents. Comments were also given regarding builder creativity; resident satisfaction with the current standards; builders passing costs on to homebuyer; and flexibility for the Council to consider exceptions.

The Council took public comments.

Jason Barney, Gilbert, representing himself as a developer and also an Economic Development Commission member, stated the Town has great leadership and the design standards add value to the community but that it can be difficult to do a project with hard & fast standards. He said he would like consideration of other aspects of a development such as lot size, density, landscaping and streetscape.

Jackson Moll, Central Arizona Homebuilders Association, stated he supports staff's recommendations for garage standards. He said there had been several concerns from other builders that won't build in Queen Creek because of the design standards.

Jordan Rose, Rose Law Group, representing Fulton Homes, stated support for guidelines rather than hard & fast rules, saying it would allow further diversity and uniqueness in Queen Creek developments.

There was discussion that most homebuilders/developers haven't had issues with the current design standards and know what they are before submitting applications. There was additional discussion on supporting a committee to review the current standards for possible updating.

Town Manager Kross thanked the Council for their feedback and consensus to form a committee. He said staff will come back at a future Council meeting with the proposed committee appointments as well as budget approval for a consultant.

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Mr. Balmer stated that the 40% garage face plane requirement would stay in place until a recommendation is made from the committee and approved by Council. He added that the committee work should take approximately 6 months.

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

The meeting was adjourned at 9:48pm.

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 November 7, 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 November 21, 2012.