



Minutes
Regular Session
Queen Creek Town Council
Queen Creek Town Hall, 22350 S. Ellsworth Road
Council Chambers
April 17, 2013
7:00 p.m.

1. Call to Order

The meeting was called to order at 7:05pm.

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

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

3. Pledge of Allegiance: Led by Hunter Thompson, Scout Troop 387

4. Invocation: A moment of silence was held.

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

Jon McHatton, representing Congressman Matt Salmon's office was recognized.

Proclamation – Week of the Young Child April 14-20: Mayor Barney read highlights of the proclamation.

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; CAG. 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.

Vice Mayor Benning reported on his attendance at the National Planning Conference held in Chicago April 12-16 and briefly described several sessions on transportation, economic development and transit.

Mayor Barney reported on several meetings:

Phoenix-Mesa Gateway Airport Board of Directors – April 15, 2013: The final phase of the current terminal was approved, adding two more gates. The airport was also identified as the fastest growing commercial airport.

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Legislative District 12 Republican Precinct Committee – April 11, 2013: Mayor Barney gave an overview of the Town’s budget and reductions; economic development; streamlined customer service and emphasis on regional partnerships.

Maricopa Association of Governments Executive Committee – April 15, 2013: The map of expanded MAG boundaries to include a portion of Pinal County, Florence, Maricopa and Gila Indian Community was approved; Mesa Mayor Smith was named as the Chair; and an update on the FY14 budget was given. The next meeting is May 13, 2013.

Maricopa Association of Governments Economic Development Committee – April 16, 2013: Discussion was on border transportation infrastructure projects. The next meeting is May 7, 2013.

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.

C. Town Center Committee – April 17, 2013: Council Member Oliphant reported on the presentation by Development Services Director Chris Anaradian; approval of the application by Queen Creek Nutrition for signage under the Façade Improvement program and discussion on parking in the Town Center. The next meeting is May 8, 2013.

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.

Silvia Barrett, 19807 E. Happy Road, Maricopa County, requested Council rescind support for the Resolution Copper Mining project in Superior, AZ.

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 March 20, 2013 Work Study and Regular Session Minutes.

B. Consideration and possible approval of **Resolution 937-13** amending the Standard Form By-laws for Town Committees, Boards, and/or Commissions, Section II,

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Membership, Roster, Council Liaison, Residency Requirement and Terms of Office (a), (b), (e) and (f); Section IV – Powers and Duties (A) and (G); Section VII – Member Appointment Process (C) and (E); and Section VIII – Inactive Committees.

C. Consideration and possible approval of **Resolution 938-13** amending the Town Council Policies and Procedures Section XVI Committees.

D. Consideration and possible approval of **Resolution 939-13** amending the By-laws for the Town Center Committee and the Economic Development Commission Section 2 Composition, Section 10 Election of Officers, and adding a Section 19 Expression of Personal Opinion in Conjunction with Majority Position.

E. Consideration and possible approval of **Resolution 940-13** adopting a Committee, Board and Commission Handbook.

F. Consideration and possible approval of a 5 (five) – Year electronic patient care records system contract with Sansio in the initial amount of \$4,970 for installation and implementation of the software system and \$6,600 per year for system support.

G. Consideration and possible approval of **Resolution 942-13** approving an Intergovernmental Agreement with the Queen Creek County Island Fire District for Fire and Emergency Medical Services, effective May 1, 2013 and declaring an emergency.

H. Consideration and possible approval of the Final Plat for Victoria Parcels 11 & 11A, a request by Meritage Homes of Arizona, Inc.

Council requested Consent Items C, E and G removed for discussion.

Motion to approve the remainder of the Consent Calendar Items A, B, D, F & H as presented

1st: Benning

2nd: Barnes

VOTE: Unanimous

Item C: Council wanted to emphasize the importance of residents serving on committees.

Motion to approve Item C as presented

1st: Gad

2nd: Benning

VOTE: Unanimous

Item E: Council thanked the staff for bringing a handbook to aid those who volunteer for committees and commissions.

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Motion to approve Item E as presented

1st: Oliphant
2nd: Wheatley
VOTE: Unanimous

Item G: Council thanked all the volunteers and staff who were involved in forming the Queen Creek County Island Fire District.

Motion to approve Item G as presented

1st: Barney
2nd: Benning
VOTE: 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 **RZ13-004/SD13-005/DR13-006 – ORDINANCE 532-13 “Quail Creek”** a request by K. Hovnanian Homes for rezoning from R1-18 PAD to R1-9 PAD, preliminary plat approval for 47 lots on 37.3 acres and design approval of five (5) floor plans with three (3) elevations each. The property is located south of Queen Creek Road, on the east side of Sossaman Road. (Continued from the April 3, 2013 Council Meeting)

Planner Dave Williams reviewed the rezoning request, preliminary plat and design review. As part of the PAD, the applicant is requesting to delete the floor ratio requirements & the maximum lot depth & width, which staff supports. The applicant is also requesting a deviation for side setbacks to 10’ between structures, which is not supported or recommended by staff. Mr. Williams also reviewed the preliminary plat/site plan showing gated streets, open space amenities and easement improvements on Twin Acres Drive to provide for emergency access.

Council asked for additional information on the surrounding properties. Mr. Williams explained that they were in a Maricopa County island and the Town’s jurisdiction ends at the Quail Creek east and south boundaries. Council also discussed further the separation width.

Greg Davis, iPlan, representing the applicant, gave a presentation on the site plan, community amenities – that include one large park and two smaller ones; and open space on the east to accommodate the county island residents use of the Wash access. Mr. Davis stated that the applicant would dedicate the Wash property to the Town and also explained the applicants request for setback deviations and a request to delete the stipulation (#8) requiring builder installed front-yard landscaping. Mr. Davis said that with larger lots owners typically want to design their own landscaping. Council asked if

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an alternative stipulation providing a minimum landscape package could be considered. Mr. Williams responded that landscaping is necessary but could negotiate an alternative and the requirements would also be addressed in the CC & R's.

Community Development Director Chris Anaradian stated the applicant will agree to landscape plan approval prior to issuance of a building permit that doesn't include mandatory types of trees or shrubs, to be installed within 90 days. Clarification was added that landscaping would be required to be installed within 90 days of occupancy.

Council asked the applicant for more information on the request for a gated community. Mr. Davis responded that it is for marketing purposes as well as providing a sense of privacy and security. He added that the streets have no connectivity to any other development and the HOA will be responsible for maintenance. Council also asked for more detail on the fence plan.

Motion to approve RZ13-004/SD13-005/DR13-006 – ORDINANCE 532-13 “Quail Creek” with the amended stipulation #8 requiring a minimum landscape package be installed within 90 days of occupancy as an alternative to an owner installed package

**1st: Benning
2nd: Barnes**

Further discussion was in regards to gated communities.

VOTE: 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 options to address the budget shortfall due to unexpected expenditures at Horseshoe Park & Equestrian Centre (HPEC) for FY2013.

Economic Development Director Doreen Cott provided a review of the unforeseen expenditures at Horseshoe Park & Equestrian Centre (HPEC) from storm damage; required signage repairs and replacement of the concession door. Ms. Cott said as a result of prior Council discussion and non-approval of a contingency fund transfer of \$55,000 on April 3, 2013, staff developed some additional options for consideration:

- Hybrid approach using project savings within Economic Development (\$13,000), additional revenues from bedding sales (\$17,000) and \$25,000 transfer from contingency (Staff recommendation)
- Fund the shortfall out of year-end surplus
- Carry over the shortfall into next FY budget

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- Cancel events, close park beginning June 1, furlough staff for June – but at a risk of losing staff and reputation of park

Council requested that Council Member Brown's e-mail comments in support of staff's recommendation be read. Town Manager Kross read the comments.

Council also asked whether there had been any other requests for contingency funds. Mr. Kross responded one in the amount of \$60,000 but not related to HPEC. Council further discussed the use of contingency funds, HPEC operating costs and revenues generated.

Motion to transfer \$100,000 from contingency to HPEC - \$50,000 for current shortfall and additional \$50,000 for emergencies and at the Town Manager's discretion

1st: Barnes

2nd: None

MOTION DIED

Motion to approve Option 1 as recommended by staff

1st: Benning

2nd: Gad

VOTE: Unanimous

11. Discussion and possible approval of **Resolution 941-13** endorsing and supporting the "TEAL and "YELLOW" route alternatives developed as part of the Arizona Department of Transportation Passenger Rail Corridor Study.

Planning Administrator Wayne Balmer provided background information on the study and staff's recommendation to support the "TEAL" and "YELLOW" routes which use existing railroad through Queen Creek. He said that the Town of Gilbert supports the same routes.

Mr. Balmer discussed the next steps in selecting the final two route alternatives to be put on the map and added that there is no funding available for any other part of the study.

There was discussion on projected ridership and promoting the preferred alternatives on social media. Intergovernmental Liaison Wendy Kaserman stated that during the public comment period in December 2012, information was provided to residents via social media.

Council asked if plans could be changed in the future. Mr. Balmer responded that the needed rights-of-way needed to be set before any future development occurs along the preferred route and the Town needs to be proactive and address the Town's needs.

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Motion to approve Resolution 941-13

1st: Benning

2nd: Barnes

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.

12. Update on the 2013 Roots N' Boots event. *(If necessary)*

Discussion held at Work Study Session.

13. Discussion on use of the budget contingency fund. *(If necessary)*

Discussion held at Work Study Session.

14. Motion to adjourn to Executive Session: The Council may reconvene the Executive Session for any of the items listed on the Work Study Executive Session Agenda.

None.

15. Adjournment

The meeting was adjourned at 8:40pm.

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 April 17, 2013 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 May 15, 2013.