



Minutes
Regular Session and Possible Executive Session
Queen Creek Town Council
Queen Creek Town Hall, 22350 S. Ellsworth Road
Council Chambers
January 16, 2008
7:00 p.m.

1. Call to Order

The meeting was called to order at 7:08 pm.

2. Roll Call

Council Members present: Coletto-Cohen; Hildebrandt; Mortensen; Valenzuela; Wootten and Mayor Sanders. Vice Mayor Barney was absent.

3. Pledge of Allegiance

Mayor Sanders led the Pledge of Allegiance.

4. Invocation

Father Michael Shannon, Pastor of Our Lady of Guadalupe Church.

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

A. State of the Town Address – see attached

B. Swearing in of Queen Creek Fire Fighters – The following Queen Creek Fire Fighters were sworn in by Judge Phares: Micah Thompson; Aaron Athey; Daniel Algara; Jonathan Reese; Nicholas Eggert; Kristopher Gale; Roberto Denogean; Adam Halfpop; Anthony Klenner; Jeffery Clark; Lee Barnes; Ryan Nemec; and Nicolas Hansen.

C. Student of the Month – December 2007 – the following were presented with the Student of the Month award:

Dallen Mendoza – Benjamin Franklin Crismon Campus

Traven Kostachek – Benjamin Franklin Power Campus

Anthony Pike – Canyon State Academy

Joseph Licciardone – Cortina Elementary School

Paloma Palomarez – Desert Mountain Elementary School

Sierra Trujillo – Frances Brandon Pickett Elementary School

Madisen Peterson – Frances Brandon Pickett Elementary School (November 2007)

Paloma Corral – Jack Barnes Elementary School (not in attendance)

Megan Henry – Queen Creek High School

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Sabrina Jara Vizcarra – Queen Creek Middle School
Jilliann Quesada – Queen Creek Elementary School

D. Youth Flag Football Volunteer Coaches Recognition – the following volunteer coaches were presented with a plaque in appreciation of their service: Al Zelasko; Benny Salcido; Bob Durka; Chris Baesen; Chris Null; Curt Stradling; Dan Glen; Dana McBride; Darwin Waite; David Weiss; Del Caron; Doug Bennett; Dustin Williams; Eric Hamilton; Ezequiel Sanchez; JD Wright; Joe Perkins; Jose Fernandez; Kent Gapen; Mark Ferrell; Mark Rauguth; Nate Scott; Patt Linne; Rich Hogan; Ryan Parks; Scott Sullivan; Tal Craig; Terrance Wilson; Timothy Hernandez; Tom Baldwin; Tom Jones; Tom Naser.

E. Ten Year Service Awards – Shawny Ekadis, GIS Manager and Jan Martin, Street Maintenance Manager were recognized for their ten years of service with the Town.

The meeting was recessed from 8:15 – 8:45 pm.

6. Committee Reports

A. Queen Creek Youth Commission – December 19, 2007/January 2, 2008 – the Commission members reviewed and approved minutes and treasurer’s reports; discussed the Town Hall Forum program; reviewed outcome of the Holiday Float Parade, printer cartridge fundraiser, Ice Skating Social and the upcoming “TV Turn off Day/Family Game Night.

B. SRP Task Force – January 8, 2008 – information was presented to the Task Force from SRP and Town staff about aesthetic projects and funding and discussed the previous Task Force recommendations. The next meeting is scheduled for April 1.

C. Transportation Advisory Committee – January 3, 2008 – Robin Benning, Committee Chair reported on the Committee’s discussion on traffic signals, Fire Station #2; prioritized four projects for the Transportation Capital Improvement Project and heard updates on the Ellsworth Loop Road project. The next meeting is scheduled for February 7.

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.

Aaron Bachler, Queen Creek, discussed his concerns with allegations against Council Member Valenzuela regarding a general plan amendment and Vanderbilt Farms. Mr. Bachler also commented on a recent incident involving Council Members Valenzuela and Coletto-Cohen.

Dawn Oliphant, Queen Creek and representing Will Rogers Equestrian neighborhood, presented concerns with a proposal to relocate a driveway for Our Lady of Guadalupe and the safety of the residents. Ms. Oliphant requested that the relocation be stopped and the Town, Church and neighborhood work on a solution that is best for the Church and neighborhood.

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Robin Benning, Queen Creek, discussed his concerns with the proposed relocation of the driveway for Our Lady of Guadalupe Church. He stated that new drive would exit at the location of his family room. He stated that he had not received any notification of the site plan modification and asked that the planning process be followed.

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 December 19, 2007 Work Study and Regular Session Minutes.

B. Consideration and possible approval of budget line item reallocations.

C. Consideration and possible approval of a contract with SRP in the amount not to exceed \$59,156 for electrical design and construction services for Horseshoe Park & Equestrian Centre.

D. Consideration and possible approval of the Town of Queen Creek Fire Department Budget for the remainder of FY07-08.

E. Consideration and possible approval of a contract in the amount not to exceed \$237,850 with Goldstein and Luera Construction, LLC for the installation of a restroom/storage building at Founders Park.

F. Consideration and possible approval of **Ordinance 417-08** amending Town Code Chapter 8A (Tax Code) by adding a new Section 8A-2 Town Center Tax.

G. Consideration and possible approval of a Construction Manager at Risk – Construction Phase Contract in the amount of \$1,767,544.26 to Haydon Building Corp., for the Power Road (Lift Station to Recker) Sewer Project.

H. Consideration and possible approval of **Resolution 710-08** granting a drainage easement to Rezzonico Roanches.

I. Consideration and possible approval of **Resolution 711-08** abandoning excess right-of-way on 196th Street (Parcel #304-68-169B) to Wayne Wisdom/Aurelie Flores.

J. Consideration and possible approval of purchases over \$10,000.

K. Consideration and possible approval of **Ordinance 416-08** annexing certain portions of Sossaman Road right-of-way.

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L. Consideration and possible approval of **Resolution 708-08** authorizing the preliminary steps to become a participating employer in the Arizona Public Safety Personnel Retirement System (PSPRS).

M. Consideration and possible approval of **Resolution 709-08** authorizing the Town to enter into a joinder agreement with the Arizona Public Safety Personnel Retirement System (PSPRS).

N. Consideration and possible approval of an Intergovernmental Agreement between the Office of Manufactured Housing within the Arizona Department of Fire, Building and Life Safety and the Town of Queen Creek for the Town to enforce the installation standards within the Town boundaries for factory built buildings.

O. Consideration and possible approval of an Intergovernmental Agreement between the Office of Manufactured Housing within the Arizona Department of Fire, Building and Life Safety and the Town of Queen Creek for the Town to enforce the installation standards within the Town boundaries for manufactured homes.

P. Consideration and possible approval the First Amendment to Speyer & Associates Master Consulting Services Agreement (2004-34) providing that the Town Manager may approve project contracts that are under \$10,000.

Q. Consideration and possible approval of a lease agreement with Tuck Hollimon, dba Farmers Insurance for Town owned property located at 22249 S. Ellsworth Rd.

R. Consideration and possible approval of a lease agreement with Mike Kowalski, dba Realty Executives for Town owned property located at 22249 S. Ellsworth Rd.

S. Consideration and possible approval of the acquisition of a modular fire station in the amount of \$60,000 from the Fort McDowell Yavapai Nation for use as a temporary fire station, fire fighter quarters and protective canopy for fire apparatus at approximately Cloud and Sossaman Roads.

T. Consideration and possible approval of the Final Plat for Pegasus Condominium Plat, Phase Two Hangars, a request by Circle G Pegasus, LLC.

U. Consideration and possible approval of an Assignment of Rights by Hearthstone Multi-Asset Entity B to CCM Parcap Rittenhouse.

*V. Public Hearing and possible action on a Series 09 Liquor Store License application submitted by Clare Hollie Abel on behalf of WalMart Supercenter #4451 located at 21055 S. Rittenhouse Road (Cornerstone).

Staff requested Item G removed from the Consent Calendar.

Motion to approve remainder of the Consent Calendar (Valenzuela/Hildebrandt/Unanimous)

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Item G: Staff requested an indefinite continuance.

Motion to continue Item G indefinitely (Coletto-Cohen/Mortensen/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.

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

9. Discussion on possible amendments to the Town's Zoning Ordinance Section 6.16, Supplemental Use Regulations; Sign Regulations.

Community Development Director Tom Condit requested direction on whether to begin the text amendment process for sign regulations. Mr. Condit briefly reviewed recent complaints from churches and businesses regarding weekend enforcement of directional/a-frame signs. Mr. Condit added that the text amendment would address temporary signs; portable signs (a-frames) and on-site banners for grand openings.

Council directed staff to begin the text amendment process and discontinue weekend enforcement during the process.

Brett Farley, Queen Creek, thanked the Council for supporting the sign issues. He said that churches were posting signs according to previous permission and it only became a problem in December. He also said that churches should be reimbursed for signs taken.

David Powers, Queen Creek, submitted written comments in favor of temporary signs.

10. Discussion on a potential change to the Zoning Ordinance to allow minor expansion of legal non-conforming uses.

Planning Manager Fred Brittingham discussed the definition of "legal non-conforming" and that the current zoning ordinance doesn't allow existing legal non-conforming businesses to expand. Mr. Brittingham requested direction to amend the zoning ordinance to allow legal non-conforming businesses to expand by up to a maximum of 25%. Council asked if there were any pending cases and Mr. Brittingham replied no. Council also asked if an area of annexation included any C3 or SOB zoning/businesses, what control over expansion the Town would have. Mr. Brittingham said each case would have to be approved or denied by the Town Council and the staff report presented would provide the background information.

Council directed staff to begin the zoning ordinance amendment.

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11. Discussion on DR07-226 “Victoria Estates by Morrison Homes” a request by Morrison Homes/Taylor Woodrow for design review approval of six (6) standard floor plans with three (3) elevations each on a total of 156 lots zoned R1-7 in the Victoria PAD – Parcel 10 subdivision.

Planner Chris Ramos gave a presentation on the design review application for Victoria Estates. Council said that the proposed elevations were overall pleasing but one plan (4574) had a long blank wall on the right elevation.

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

No motion.

13. Adjournment

Motion to adjourn at 9:20pm (Valenzuela/Wootten/Unanimous)

TOWN OF QUEEN CREEK

Arthur M. Sanders, 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 16, 2008 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 6, 2008.