



**Minutes**  
**Regular Session and Possible Executive Session**  
**Queen Creek Town Council**  
Queen Creek Town Hall, 22350 S. Ellsworth Road  
Council Chambers  
February 6, 2008  
7:00 p.m.

**1. Call to Order**

The meeting was called to order at 7:10 pm.

**2. Roll Call**

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

**3. Pledge of Allegiance: Boy Scout Troop #6782**

**4. Invocation: Jason Powers, Pastor of New Life Nazarene Church**

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

A. Student of the Month Award – January 2008: Mayor Sanders and Council Member Wootten presented the following with the Student of the Month Award:

Erika Pallagao – Benjamin Franklin Crismon Campus  
Brandon Teuscher – Benjamin Franklin Power Campus  
Nick Anderson – Canyon State Academy  
Makaela Frutos – Cortina Elementary School  
Jason Wilcken – Desert Mountain Elementary School  
Liliana Ferguson – Frances Brandon Pickett Elementary School  
Emma Lavold – Jack Barnes Elementary School  
Irving Carreno – Queen Creek Elementary School  
Kaley Bertrand – Queen Creek Middle School  
Jenny Bolotano – Queen Creek High School

B. Proclamation – “Turn Your TV Off Day/Family Game Night”: Mayor Sanders read a proclamation sponsored by the Queen Creek Youth Commission.

C. Recognition of Boy Scout Troop #6782: The Council recognized the Troop members for their community service project covering graffiti in a neighborhood.

**6. Committee Reports**

A. Queen Creek Youth Commission – January 16, 2008

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The Youth Commission discussed the planning of the Town Hall Forum; discussion topics for the Dinner with the Mayor; weekend retreat and Spring Family Celebration activities.

**B. Economic Development Commission – January 23, 2008**

The Commission heard a presentation by Cyd West of Maricopa Partnership for Arts & Culture; and received an update on the General Plan amendments and Alternative D of the General Plan Update. The Commission decided to meet every other month with special meetings as needed.

**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, spoke to allegations of Council Member Valenzuela and requested her immediate resignation. He also stated his concerns with Council Member Hildebrandt’s support of Council Member Valenzuela. He said that Council Members represent all citizens.

Kurt Nelson, Queen Creek, representing the San Tan Vistas HOA, stated his concern with the situation of the HOA and lack of cooperation from the developer and the Town in regard to the landscaping requirements. He said the HOA now owes back taxes on land the residents don’t own (HOA owned). Mr. Nelson also said that the homeowners don’t want an HOA. He asked that the trail between the new middle school and San Tan Vistas be made public. He also asked for assistance from the Town in solving the flooding problem at the entrance attributed to run off from county island to the south.

**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 January 16, 2008 Work Study and Regular Session Minutes.

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

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

D. Consideration and possible approval of the Germann Road “Map of Dedication” a request by Queen Creek Industrial Complex, LLC to dedicate a portion of Germann Road to the public.

E. Consideration and possible approval of the East Valley Automatic Aid Agreement.

F. Consideration and possible approval of an Intergovernmental Agreement between the State of Arizona (Department of Revenue) and Town of Queen Creek for the collection and audit functions regarding transaction privilege license tax.

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G. Consideration and possible acceptance of the Town Comprehensive Annual Financial Report (CAFR) for FY 2006-2007.

H. Consideration and possible approval of the appointment of Council Member Toni Valenzuela as the Alternate Town Representative to the Community Development Advisory Committee (CDAC).

I. Consideration and possible approval of a bid for a handicap ramp and door for Town Hall.

J. Consideration and possible approval of a grant of Cross/Joint Access Easements over Town – owned property to the Roman Catholic Church of the Diocese Phoenix and MidFirst Bank to allow ingress/egress to the church and bank from Ellsworth Loop Road.

K. Consideration and possible approval **Resolution 714-08** rescinding Resolution 711-08 approved on January 16, 2008 abandoning excess easement on 196<sup>th</sup> Street located on Parcel #304-68-169 owned by William Wisdom & Aurelie Flores.

L. Consideration and possible approval of the Final Replat for “Cornerstone at Queen Creek” a request by WDP Partners, LLC.

M. Consideration and possible approval of the “Abandonment of Easement and Quit Claim Deed” for a segment of Rittenhouse Road, a request by WDP Partners, LLC.

N. Consideration and possible approval of a proposal in the amount of \$45,312 from Pro-Setters of Arizona to transport and setup two portable buildings and a metal shade structure for use as a temporary fire station at Sossaman and Cloud Roads.

O. Consideration and possible approval of a professional services contract in the amount not to exceed \$28,080 with PSI for materials testing on the Sossaman Sewer.

P. Consideration and possible approval of a professional services contract in the amount not to exceed \$18,330 with Speedie and Associates for materials testing of Rittenhouse Road – Phase 1.

Q. Consideration and possible approval of a professional services contract in the amount not to exceed \$19,925 with Speedie and Associates for materials testing of Rittenhouse Sewer – Phase 1.

R. Consideration and possible approval of a Construction Manager at Risk Construction Phase Contract GMP#1 (revised) in the amount of \$305,973.06 with Haydon Building Corp., for the Power Road (Lift Station to Recker) Sewer Project (WW010).

S. Consideration and possible approval of a Design/Build Contract in the amount of \$455,188.09 with Johnson Carlier for Fire Station #2.

Items E, G, I and S were pulled for discussion.

**Motion to approve remainder of Consent Calendar** (Coletto-Cohen/Wootten/Unanimous)

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**Item E:** Staff clarified that Page 1, Paragraph 2 of the staff report should read “without regard to boundaries”.

**Motion to approve Item E** (Wootten/Mortensen/Unanimous)

**Item G:** Council commended the Finance staff for excellent report results.

**Motion to approve Item G** (Mortensen/Wootten/Unanimous)

**Item I:** Additional information on the location of handicap parking was requested. Facilities Manager Lee Councilor said two parking spaces at the east entrance would be converted in addition to the existing handicap parking at the south entrance.

**Motion to approve Item I** (Wootten/Hildebrandt/Unanimous)

**Item S:** Staff requested a continuance to the February 20, 2008 meeting.

**Motion to continue Item S** (Barney/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.

**9. Discussion and possible action** on a request for comments from the City of Mesa on a Preliminary Site Plan for “First Industrial Realty” located on the southeast corner of Power and Pecos Roads.

Planner Mike McCauley gave review of the site plan, showing access points off of Pecos Road. Mr. McCauley outlined staff’s comments that include:

- Compatibility with Queen Creek General Plan
- Appropriate for industrial users
- South border screening/landscaping – Town encourages applicant to add
- Town’s request to review any modifications to site plan
- Road improvements to Power, Pecos and Sossaman Roads are adequately addressed in conjunction with future projects

**Motion to forward comments as proposed to City of Mesa** (Mortensen/Wootten/Unanimous)

Council Member Coletto-Cohen stepped down from the dais.

**10. Discussion and possible action** on a request for comments from Pinal County on a rezoning request for “Santan Power” located on the southeast corner of Ellsworth Road and Hunt Highway.

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Planning Consultant Wayne Balmer reviewed the rezoning request from General Rural to CB-1 (Commercial). Mr. Balmer discussed the Queen Creek's current general plan and Alternative 'D' of the General Plan Update in comparison to the rezoning application. He also showed that there was no direct access to Hunt Highway, but only from Ellsworth Road. The rezoning application included conceptual design elevations showing offices but the applicant is requesting commercial rezoning. Mr. Balmer said that the use and location doesn't conform with the existing or future General Plan and the design standards aren't comparable.

Council supported staff's comments and concerns and requested an additional comment be included addressing conceptual rezoning with out site plans. Council also discussed their concern with commercial zoning in residential areas.

**Motion to send comments as discussed to Pinal County** (Mortensen/Hildebrandt/Unanimous)

Council Member Coletto-Cohen returned to the dais.

**11. Discussion and possible action** on the Federal Legislative Agenda.

Intergovernmental Liaison Mark Young requested direction to staff and federal lobbyist on issues to pursue at the federal level. Mr. Young provided the following issues to consider: transportation, water infrastructure, parks & recreation, support with railroad issues.

**Motion to direct staff to pursue the proposed issues with the federal lobbyist** (Mortensen/Hildebrandt/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. Discussion on SD06-001 "H2C Ranches"** a request for a six (6)-lot subdivision on 10-acres located at the southwest corner of Sossaman Road and Sun Dance Drive.

Planner Mike McCauley reviewed the preliminary plat and landscape plan for the six-lot subdivision. The subdivision features lots of 1 ¼ acre with animal privileges; shared use trails on the east, west and north sides; drainage easements and is consistent with the General Plan and zoning ordinances. The Planning and Zoning Commission recommended approval.

Council asked for information regarding the design guidelines for the San Tan Plan and fencing plans. Mr. McCauley stated that no fencing was proposed but a rear/side yard fence could be stipulated to be uniform. Council was concerned that individual lot owners would install different types of fencing creating a disjointed look. Planning Division Manager Fred Brittingham stated that a stipulation could be added to the Final Plat requiring a fencing plan.

Council's additional concerns were in regard to drainage. Town Engineer Jim Leubner stated that the flows through H2C Ranches were less than Belle Estates and that the drainage report was adequate and kept the natural flow with added culverts.

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The proposed ash trees in the desert foothills were also a concern. Staff explained their interpretation of continuing tree-lined streets south of Hunt Highway.

**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.

None.

**14. Adjournment**

**Motion to adjourn at 8:36pm** (Mortensen/Wootten/Unanimous)

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TOWN OF QUEEN CREEK

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Arthur M. Sanders, Mayor

Attest:

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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 February 6, 2008 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, CMC

Passed and approved on March 5, 2008.