



**Minutes**  
**Regular Session**  
**Queen Creek Town Council**  
Queen Creek Town Hall, 22350 S. Ellsworth Road  
Council Chambers  
March 19, 2008  
7:00 p.m.

**1. Call to Order**

The meeting was called to order at 7:00pm.

**2. Roll Call**

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

**3. Pledge of Allegiance:**

Led by Vice Mayor Barney.

**4. Invocation:** Pastor Bill Weaver, San Tan Christian Center

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

A. 5-year service awards: Lisa Padilla, Recreation Manager was presented a five-year service award by Parks & Recreation Director Debbie Gomez.

B. Recognition of Youth Sport Coaches – Soccer: The Youth Soccer League coaches were recognized for volunteering their time to the soccer teams and presented a plaque with their team picture on it.

C. Proclamation – Earth Hour in Queen Creek – March 29, 2008 from 8-9pm.

**6. Committee Reports**

A. Parks, Trails and Open Space Committee – March 11, 2008: Updates on Founders Park, Horseshoe Park and Sonoqui & Queen Creek Wash projects and the General Plan Update were presented; the Committee members discussed a possible realignment of part of the multi-use trail along Sossaman Road and greenbelt options adjacent to washes. The next meeting is scheduled for April 8, 2008.

B. Queen Creek Youth Commission – March 5, 2008: Commission members reviewed the outcome of the Town Hall Forum; planned activities for the Spring Family Celebration; Relay for Life and the retreat scheduled for May 17.

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**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 March 5, 2008 Work Study and Regular Session Minutes.

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

C. Consideration and possible approval of the appointments to the Public Safety Personnel Retirement Board.

D. Consideration and possible approval of **SP07-194** “Broadlands Building at Power Marketplace Business Park”, a request by Haley Balzano of Exclaim Design for site plan, landscape plan and building elevations approval for the Broadlands Industrial Building. The proposal consists of an industrial/warehouse building of 20,000 ± square feet designed for future industrial use on a 1.16 acre site with existing I-1 zoning. The project is located on Lot 11 in the Power Marketplace Business Park, approximately ¼ mile east of Power Road, between Germann and realigned Rittenhouse Road.

E. Consideration and possible approval of the “220<sup>th</sup> Street and Queen Creek Road Map of Dedication”, a request by the Barney Family Sports Complex, LLC to dedicate a portion of 220<sup>th</sup> Street and Queen Creek Road to the public.

F. Consideration and possible approval of the “Queen Creek Middle School Map of Dedication” a request by the Queen Creek Unified School District to dedicate a portion of Sossaman Road and Riggs Road to the public.

G. Consideration and possible approval a contract in the amount of \$23,451 with Salt River Project (SRP) for the design and construction of electrical facilities for Nauvoo Station out parcel.

H. Consideration and possible approval of the Guaranteed Maximum Price (GMP) #4 in the amount of \$1,355,638.72 with Achen-Gardner Engineering, LLC for the roadway and traffic signal installation for Rittenhouse Road – Phase 1A (Sossaman Road to existing Rittenhouse Road).

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I. Consideration and possible approval of a design services contract in the amount of \$29,530 with David Evans and Associates for the design of a traffic signal at the intersection of Village Loop Road North and Rittenhouse Roads.

J. Consideration and possible approval a Second Amendment to the Intergovernmental Agreement between Maricopa County and the Town of Queen Creek for acceptance of 1.66 acres of land.

K. Consideration and possible approval of the appointment of Nancy Uptain to the Parks, Trails and Open Space Committee.

L. Consideration and possible approval of a professional services contract in the amount not to exceed \$100,000 with Orange Screen Productions, LLC for video filming and post-production services for 24 Town Council meetings and a purchase option for leased equipment.

M. Consideration and possible approval of a proposal in the amount not to exceed 163,982 to the G & G Construction Contract #2006-73 to repair various road segments.

N. Consideration and possible approval of **Resolution 722-08** – the Canvass of the March 11, 2008 Primary Election.

O. Consideration and possible approval of authorizing the Town Manager on behalf of the Town to sign a Master Lease-Purchase Agreement with Oshkosh Capital in the amount of \$1,937,932.11 for the acquisition of equipment and vehicles for the Fire Department, and authorizing the Town Manager, Town Clerk and Town Attorney to sign all documents and take all actions necessary to implement the terms of the Master Lease-Purchase Agreement.

P. Consideration and possible approval of a Memorandum of Understanding with the Maricopa County Fire Investigation Task Force for arson investigations.

Q. Consideration and possible approval of a professional services contract in the amount not to exceed \$75,000 with Environmental Systems Research Institute, Inc., for the small government enterprise license agreement and the budget line item reallocation in the amount of \$2,900.

\*R. Public Hearing and possible action on a Series 10 Beer and Wine License application submitted by Jason Barclay Morris on behalf of CVS Pharmacy #1719, 7587 S. Power Rd (Power Marketplace).

\*S. Public Hearing and possible action on a Series 12 Restaurant License application submitted by H. J. Lewkowitz on behalf of Chipotle Mexican Grill #1163, 21172 S. Ellsworth Loop Rd. Suite F-8 (Queen Creek Marketplace).

\*T. Public Hearing and possible action on **Ordinance 420-08 TA07-183** a Text Amendment to Section 5.6 Parking, Loading and Bicycle Standards, a request by the Town of Queen Creek for a text amendment to the Zoning Ordinance, Article 5, Section 5.6 Parking, Loading and Bicycle Standards, Table 5.11-1 Single Family Design Requirements for Garages.

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Council requested Items E, L and N pulled.

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

**Item E:** Vice Mayor Barney declared a conflict of interest and refrained from any discussion and voting on Item E. Council selected Council Member Wootten to preside.

Motion to approve Item E (Coletto-Cohen/Wootten/Unanimous) (Barney abstaining)

Item L: Council asked for additional information on the cost of equipment and ownership after the term of the contract. Communications Director Dee Anne Thomas explained the cost breakdown per meeting for equipment and labor, stating that at the end of the term (24 meetings) the equipment except for the cameras would be owned by the Town. Council asked Ms. Thomas if the Council Chambers acoustics would be compatible with the filming and audio equipment. Ms. Thomas said that the equipment would compensate for the sound and lighting issues. There was also discussion on what type of editing would occur, with Ms. Thomas explaining that dead space/time, recesses and entering and exiting of meetings would be edited but no meeting content would be. It was also noted that once the contract expires, a computer for editing would be required.

Council suggested that media training by a professional consultant be provided to the Council Members at the next retreat.

**Motion to approve Item L:** (Coletto-Cohen/Wootten/Unanimous)

**Item N:** Council stated concern with the voter turnout at the Primary and requested the voter registration and final voter turnout. Town Clerk Robinson responded that there were 8,227 registered voters and 2,842 ballots cast for a 34.54% turnout. Council requested that the all-mail ballot election process be re-evaluated as quickly as possible. There was discussion on voter apathy and Election Day turnout.

**Motion to approve Item N** (Coletto-Cohen/Valenzuela/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. Public Hearing, discussion and possible action on Ordinance 421-08 RZ07-132** Nauvoo Station PAD Amendment, a request by Mario Mangiamele of Iplan Consulting on behalf of VIP Emperor Estates, LLC, to allow 3-bay front loaded garages to be up to 60% of the front building façade for a maximum of 76 of Nauvoo Station's 478 homes. The project is zoned PAD and is located on the northwest corner of Ocotillo and Crismon Roads.

Planner Phil Bolduc reviewed the applicant's request for a PAD amendment to allow up to 60% front garage façade for 3-car garages instead of the current allowed 40% for garages. Mr.

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Bolduc showed proposed elevations for 3-car front loaded garages which illustrated the 60% front garage façade. Mr. Bolduc discussed some concerns of the request including wider driveways, additional curb-cuts; increased pavement on lot and dominance of garages. The Planning and Zoning Commission unanimously recommended denial.

Mario Mangiamele, representing the applicant, gave a presentation on the PAD amendment request, stating that with the amendment, the setbacks would be staggered, providing for a more appealing streetscape and stated that the market is demanding this type of product. He said that the current zoning ordinance allows for flexibility and the amendment only changes a percentage of home elevations. He also disagreed with staff's concerns regarding curb-cuts and increased concrete.

Council asked Mr. Mangiamele how many lots would be affected and what size the lots were. Mr. Mangiamele responded that amendment would apply to 20% of the lots (of 478 lots) and the lots could be different sizes. He also showed examples of carriage park garage door designs and streetscapes.

Council discussed precedence setting on amending the Town's zoning ordinance and asked if any similar request had been approved. Planning Manager Fred Brittingham responded no.

Warren Peterson, VIP Homes, the applicant, stated the request is for 76 homes. He said that VIP Homes always offers 3-car garages but didn't realize that Queen Creek only allowed 40% of the front façade for garage until he had plans drawn up and was required to revise them after design review. He said that buyer's daily want 3-car front loading garages and believes that the requested deviation is small.

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

Council stated appreciation for the carriage door designs, stating that they do add character. However, the constant comments that Queen Creek Ordinances are wrong and need to be changed were not commendable or appreciated and that the ordinances are what make Queen Creek different. Council also said that sales were not a reason to change ordinances and adding an additional architectural feature (carriage park garage doors) were not a reason to amend those ordinances.

**Motion to deny RZ07-132/Ordinance 421-08 (Coletto-Cohen/Wootten)**

Roll Call Vote:  
Coletto-Cohen – aye  
Hildebrandt – aye  
Valenzuela – nay  
Wootten – aye  
Barney – aye

**Motion passed 4-1.**

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

**10. Adjournment**

**Motion to adjourn at 8:04pm** (Valenzuela/Coletto-Cohen/Unanimous)

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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 March 19, 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 April 2, 2008.

