



**Minutes**  
**Regular Session**  
**Queen Creek Town Council**  
Queen Creek Town Hall, 22350 S. Ellsworth Road  
Council Chambers  
April 2, 2008  
7:00 p.m.

**1. Call to Order**

The meeting was called to order at 7:06pm

**2. Roll Call**

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

**3. Pledge of Allegiance:**

Led by Mayor Sanders.

**4. Invocation:** Pastor James Bugg, Rock Point Church

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

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

Brenten Heward – Benjamin Franklin Crismon Campus  
Tyler Bigler – Benjamin Franklin Power Campus  
Darius Pack – Canyon State Academy (February)  
Nicole Crane – Cortina Elementary  
Antonio Rivera – Frances Brandon Pickett Elementary  
Jessica Wilkey – Jack Barnes  
Madisen Duyck – Jack Barnes  
Shenton Wagner – Queen Creek Middle School  
Anthony Jex – Queen Creek High School

**6. Committee Reports**

A. Recreation Advisory Board – March 25, 2008: The Board had a final presentation from ETC Institute on the Recreation Needs Assessment; a presentation on the Library Recreation Annex programming; and the RAB 08-09 Work Plan was reviewed. The next meeting is May 27.

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B. Queen Creek Youth Commission – March 19, 2008: The Youth commission discussed a theme basket for Relay for Life and decided on “Teen Movie Night”; continued discussing and planning the retreat; and discussed Volunteer of the Year nominations.

C. Economic Development Commission – March 26, 2008: The Commission had a presentation on the Mesa Gateway Area Strategic Plan with the Commission recommending comments be forwarded to the City of Mesa regarding transportation issues, departure and approach impacts on Queen Creek and support of high density; members volunteered to participate on the Arts, Culture and Experience sub-committee; and updates were given on the Ellsworth Loop Road, library construction and fire station #2. The next meeting is scheduled for May 28.

**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.

Matt Thiem, Jason Fischer, Justin Rome, Patrick McCracken and Brent Sucher, members of the Queen Creek High School Robotics Club, reported on the club’s success in winning two regional competitions and their eligibility to travel to the national competition. The group said that the entry fee was paid for but the club members needed funds for the travel portion and requested the community for support, and thanked the Town Council for previous support. The members also talked about the importance of technology and science.

**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 19, 2008 Work Study and Regular Session Minutes.

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

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

D. Consideration and possible approval of **Resolution 724-08** declaring as a public record the “2008 Amendments to the Tax Code of the Town of Queen Creek”.

E. Consideration and possible approval of **Ordinance 423-08** adopting the “2008 Amendments to the Tax Code of the Town of Queen Creek” by reference; establishing an effective date; providing for severability and providing penalties for violations.

F. Consideration and possible approval of the Power Distribution Easement (SRP Job#KEB4394), a request by SRP for the Town of Queen Creek to dedicate an easement for power distribution for the Queen Creek Public Library located north of Ocotillo Road and west of Ellsworth Road.

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G. Consideration and possible approval **Resolution 723-08** and the associated Three-Year Cooperation Agreement for the Maricopa County Community Development Block Grant (CDBG) Program.

H. Consideration and possible approval of a contract in the amount of \$20,000 with Dr. Gary Smith to be the EMS Medical Director for the Queen Creek Fire Department.

I. Consideration and possible approval of a Memorandum of Understanding with the State Fire Marshall to provide life safety inspection services for state and county buildings and all public schools within the Town limits.

J. Consideration and possible approval a change order in the amount of \$639,182.02 to FNF Construction for overhead costs due to delays by the Union Pacific Railroad and additional items of work related to Improvement District #001.

K. Consideration and possible approval of a contract in the amount not to exceed \$136,733 with Cactus Transport, Inc., to chip seal Town roads.

L. Consideration and possible acceptance of the list of Town contracts and intergovernmental agreements as required in Town Code Chapter 3, Article 3-2, Section 3-2-6 G(3).

M. Consideration and possible approval of **Ordinance 422-08** amending Town Code Chapter 5 Municipal Court by adding Article 5-6 Civil Hearing Officer and Article 5-7 Civil Code Infractions.

N. Consideration and possible approval of the GIS Master Plan.

Items J and N were pulled for discussion.

**Motion to approve remainder of Consent Calendar** (Valenzuela/Barney/Unanimous)

**Item J:** Transportation Director Dick Schaner reviewed the schedule of work for the improvement district and the delays caused by Union Pacific Railroad. Council added that the Town worked in good faith with the railroad on the project but they didn't follow through on their commitments for permits.

Council asked if there was any legal recourse against the Union Pacific Railroad. Town Attorney Fredda Bisman responded that attorneys are looking into it, but it may be difficult as the railroad is protected by federal laws. Council also asked if Arizona Senators should be contacted. Staff responded yes. Council expressed appreciation to FNF, the contractor, for their cooperation and job well done. There was discussion that with the possibility of other projects with the railroad, it is imperative to get the message to Union Pacific Railroad that additional costs having to be paid by the Town and taxpayers for delays because of the railroads internal processes and methods was unacceptable.

**Motion to approve Item J** (Valenzuela/Barney/Unanimous)

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**Item N:** GIS Manager Shawny Ekadis, gave an overview of the GIS responsibilities and goals. Ms. Ekadis gave a presentation on the GIS Master Plan that will help to implement improvements for geographic data. Ms. Ekadis reviewed the development of the plan, recommendations and implementation. Council asked if there would be any citizen access to the GIS data. Ms. Ekadis responded that there would be limited access at the new library. Council also asked if there was any consideration to address Queen Creek differently than the County addressing plan. Ms. Ekadis explained that while some cities do have their own addressing system, the entire Town would have to be re-addressed which would be a monumental task.

**Motion to approve Item N:** (Barney/Hildebrandt/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. Presentation** by Maricopa County on the “Make the Clean Air Commitment” campaign.

The County requested an indefinite continuance of this presentation.

**Motion to continue indefinitely** (Wootten/Barney/Unanimous)

**10. Discussion and possible action** on approving a budget of \$60,000 for resolution of access issues related to the widening of Ocotillo Road in front of Our Lady of Guadalupe Catholic Church.

Transportation Director Dick Schaner explained that as a part of the Ocotillo Road widening project, SRP would have to relocate power poles and boxes and that SRP’s design placed several boxes on the Church property and in one of two driveways. Mr. Schaner further explained that the Church stated they needed an additional driveway (ingress/egress). The proposed driveway exits onto 205<sup>th</sup> Street which causes concern with residents of the Will Rogers Equestrian Ranch neighborhood. Meetings between the Church and neighborhood were facilitated by Lance Decker, at which a solution agreeable by both parties was reached. The solution includes an electric gate at the driveway onto 205<sup>th</sup> St. that would be locked during church services. Mr. Schaner added that the Town could provide additional temporary road access for the church to Ellsworth Loop Road. Council asked if the temporary road would be signalized. Mr. Schaner stated no but that Aldecoa Road to the south would be. Council also asked if the asphalt would be “throw away”. Mr. Schaner replied that it would be but also last until commercial development occurred and a permanent road was built.

Wayne Blazek, Queen Creek, stated that Our Lady of Guadalupe Church has been in the community for over 50 years and consideration should be given to existing organizations. He said the median on Ocotillo Road would restrict access to the church parking lot and the new driveway on 205<sup>th</sup> Street would eliminate dangerous u-turns into and out of the parking lot and also provide the easement necessary to SRP.

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Ray Boris, Queen Creek, stated that Our Lady of Guadalupe requires two driveways to accommodate parish growth. He also discussed his concerns with the road construction.

Charlotte Boris, Queen Creek, stated that the disagreement between the Church and neighborhood had been resolved with this proposed solution and the Town should be required to provide a driveway.

Christine McKinney, Queen Creek and resident of Will Rogers Equestrian Ranch, spoke in support of the proposed gate, citing safety issues and cut through traffic.

Vincent Canzano, Queen Creek, asked whether a center turn lane on Ocotillo Road could be installed instead of a raised median.

Sylvia Barrett, Queen Creek, stated that a raised median on Ocotillo Road would be inconvenient to drivers and the Town should consider church members.

Robin Benning, Queen Creek, said he appreciated the Town's efforts to help solve this issue with the Church and neighborhood and supports the gate and temporary road to Ellsworth Loop Road.

Discussion continued regarding the east driveway access to Ocotillo Road and proposed median which would be constructed with the development of the Victoria project. Council asked about the possibility of removing the median in front of the church. Mr. Schaner said that the Council can consider that in the future. The purpose of the median was also questioned. Mr. Schaner said it was for traffic flow and safety reasons and explained how traffic would flow through the intersection of Ocotillo Road and Ellsworth Loop Road. Council commented that with road improvements there would be traffic pattern changes.

Further discussion was in regard to the gate. Specifically, about the possibility of a horse trailer being forced to back out onto Ocotillo Road because the gate was locked. Mr. Schaner said that all homeowners in the Will Rogers Equestrian Ranch would have an opener, but it could be difficult if they didn't have it with them. Other concerns discussed included:

- installing a private gate on a public road in order to prevent or reduce possible cut through traffic;
- costs of the temporary road and possibility of the future developers to participate. Mr. Schaner said that at the time of development, they would be required to install full improvements.
- Timeline for SRP work: Mr. Schaner responded that would be dependent upon the Church granting the easement to SRP, however, construction would probably not begin before Fall 2008.
- Had any discussion on horse trailer issues been brought up at the meetings: Mr. Schaner said no.

There was some discussion on needing time to review additional details and other options for access to Ocotillo Road.

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**Motion to approve a budget of \$60,000 for resolution of access issues related to the widening of Ocotillo Road in front of Our Lady of Guadalupe Catholic Church (Barney/Valenzuela/Unanimous)**

Council asked that consideration be given in the design of the gate and driveway for a stuck trailer on 205<sup>th</sup> Street and possible access to the church parking lot in order to turn around. Council also suggested talking with developers about helping with the road and asked if the gate design would be brought back to Council. Mr. Schaner said that it would.

The meeting was recessed from 8:35 – 8:47pm.

**11. Discussion and possible action** on a request from Maricopa County for comments on Maricopa County Case Z2007070 “Recker and Riggs Mini Storage” Special Use Permit located at the southeast corner of Recker and Riggs Roads.

Principal Planner Fred Brittingham reviewed the special use permit application and staff’s comments. Mr. Brittingham stated that drainage issues were still unresolved and that Maricopa County also has concerns regarding the drainage and a continuance was requested. Mr. Brittingham added that the project design was favorable.

**Motion to send comments as suggested by staff to Maricopa County (Barney/Wootten/Unanimous)**

**12. Discussion and possible action** on the proposed Capital Improvement Project holdbacks for FY2007/2008.

Town Manager John Kross briefly reviewed the previous approval of General Fund budget holdbacks and that a \$23.4 million (or 22%) Capital Improvement Project holdback was being recommended. He added that 80% of the planned projects would still continue. Mr. Kross discussed the recommendations for holdbacks in the following areas: drainage/transportation; wastewater; Parks Development; Town Buildings & Vehicles; Public Safety and Library.

Council asked if the drainage basin at Cloud & Sossaman would be completed. Transportation Director Dick Schaner responded that the design would continue but the construction would be put on hold. He added that with the construction of the new middle school at Riggs & Sossaman there were some improvements completed and the drainage situation is improved.

**Motion to approve the proposed Capital Improvement Project holdbacks for FY07-08 (Valenzuela/Barney/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.

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**13. Discussion on TA08-044** “Text Amendment for Sign Regulations” a request by Town staff for a text amendment to the Town of Queen Creek Zoning Ordinance, Article 6 Supplemental Use Regulations, Section 16 Sign Regulations.

Community Development Director Tom Condit gave an overview of the weekend code enforcement activity in October 2007 for illegal signs and subsequent complaints from businesses and religious organizations. Mr. Condit stated that the Council had directed staff to prepare a possible text amendment to address the sign issues. Mr. Condit said that the Planning and Zoning Commission recommended the approval of the proposed text amendment which would allow religious institutions to also use directional signs; increase the size of signs allowed to six (6) sq. ft.; allow signs to be placed between 6pm on Fridays with removal by 5am on Monday; and increases to 60 days the time allowed for ‘grand opening’ signs. Mr. Condit said that a more comprehensive text amendment would come forward in the next 12-18 months.

Council discussion was in regard to garage sale signs and weekend sign enforcement. Council asked that 6.16 (B)(3)(b)(5)(g) be reworded in regard to owner of the religious institution.

**14. Discussion on SD07-202** “Power and Riggs Center” preliminary plat.

Planner Dave Williams reviewed the August 2007 rezoning approval for “Power and Riggs Center” and the proposed preliminary plat for five lots. The Planning and Zoning Commission recommended approval. There was some discussion on the timeframe between phases.

Robert Kubick, representing the applicant, stated that there is no firm timeframe, but the owner is anxious to begin.

Council asked if the applicant was in agreement with the stipulations and the response was yes.

**15. Adjournment**

**Motion to adjourn at 9:10pm** (Valenzuela/Barney/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 April 2, 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 April 16, 2008.