



Minutes
Regular Session
Queen Creek Town Council
Queen Creek Town Hall, 22350 S. Ellsworth Road
Council Chambers
May 5, 2010
7:00 p.m.

1. Call to Order

The meeting was called to order at 7:15pm.

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

Council Members present: Barnes; Benning; Brown; Hildebrandt; Wootten; Vice Mayor Mortensen and Mayor Sanders.

3. Pledge of Allegiance: Led by Mayor Sanders

4. Invocation: Pastor Randy Lung, The Journey Christian Fellowship

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

Mayor Sanders announced the National Day of Prayer event taking place in front of Town Hall on Thursday May 6.

A. Proclamation – Emergency Medical Systems Week - May 16 – 22, 2010: Read by Council Member Barnes.

B. Proclamation – Foster Care Month – May 2010: Read by Council Member Brown

C. Proclamation – National Public Works Week – May 16 – 22, 2010: Read by Council Member Wootten.

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; CAAG. 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.

Council Member Brown reported on American Cancer Society Relay for Life event at Canyon State Academy and said he was privileged to offer introductory remarks. He recognized Lori Kuhusky for her leadership in organizing the event that had 458 registered participants. He also recognized Anthony Baumann, Parks & Recreation employee, for his leadership and fund raising for the event.

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Council Member Barnes reported on his attendance at the Relay for Life event at ASU Polytechnic.

B. Disaster Management Committee – April 28, 2010: Chair Andy Fritz provided a report of the Committee’s activity to map Town information into geographic areas for disaster management resources; discussion on emergency response chain of command and further development of the CERT program.

C. Economic Development Commission – April 28, 2010: Due to a lack of a quorum, an official meeting was not held.

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.

Mayor Sanders stated that an additional stipulation regarding noise attenuation had been added to the ordinance for consideration under Item I of the Consent Calendar.

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 April 7, 2010 Work Study and Regular Session Minutes.

B. Consideration and possible approval of the April 21, 2010 Work Study and Regular Session Minutes.

C. Consideration and possible approval of purchases over \$25,000.

D. Consideration and possible approval of the Final Replat for “Cornerstone at Queen Creek Lots 1, 2, 3 & 4” a request by WDP Partners, LLP.

E. Consideration and possible approval of **SP10-010** “Olive Garden Restaurant” a request by Kourtnie Airheart on behalf of Darden Restaurants, Inc., for site plan, landscape plan and building elevation plan approval. The proposal consists of 7,582 sq. feet of commercial use on a site with existing C-2 PAD zoning located at on PAD A of the Queen Creek Marketplace (SW corner of Ellsworth Loop & Rittenhouse Roads).

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F. Consideration and possible approval of **DR09-095** “Cresleigh Homes at Hastings Farms, Plan 1997” a request from Perlman Architects for design review approval of one additional standard floor plan with three elevations on a total of 136 lots zoned R1-7 on approximately 57.8 acres located east of Ellsworth and Chandler Heights Roads.

G. Consideration and possible approval of a contract in the amount not to exceed \$35,000 with the Water Infrastructure Finance Authority of Arizona (WIFA) to accept the technical assistance grant for the design of a reclaimed, reuse, recharge waterline (Project No. RW001).

H. Consideration and possible approval of an Intergovernmental Agreement with Pinal County for the installation and maintenance of a sewer line south of Empire Boulevard (Project No. WW016).

***I.** Public Hearing and possible approval of **RZ07-099/SD07-100/Ordinance 477-10 “Barney 20”** a request by Greg Davis of Iplan Consulting for a rezoning from R1-43 to R1-43 PAD and preliminary plat approval for a 16-lot residential subdivision on approximately 20 acres. The property is located at the northwest corner of Queen Creek and Signal Butte Roads.

Motion to approve the Consent Calendar as presented and with the additional stipulation #11 for Ordinance 477-10 (Brown/Wootten/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.

None.

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.

9. Discussion and possible approval of **Ordinance 478-10** amending Town Code Chapter 7, Section 7.1.4 “Permits Fees” by establishing fees and charges for services related to the permitting, inspection and plan review for Solar Photovoltaic and Solar Hot Water Heating Systems.

Community Development Director Tom Condit reviewed the proposed fees based on the April 21, 2010 Council discussion and direction. The fees cover plan review and inspection and add specific requirements for engineering analysis based on weight of systems and the age of the structure. There was discussion regarding staff time for reviewing & inspecting and using more generic verbiage instead of photovoltaic when referencing solar systems. Mr. Condit explained that the term photovoltaic is the industry standard but the word solar could be added. Council asked that information and links to solar resources and the Town’s fee schedule be provided on the Town’s website.

Motion to approve Ordinance 478-10 with the direction to provide news announcements and links to information and resources as discussed (Brown/Wootten/Unanimous)

10. Discussion and possible approval of an Intergovernmental Agreement with Maricopa County Flood Control District for the rights-of-way acquisition, construction, construction management and operation and maintenance of the Cloud Road and Sossaman Road Basin and Outlet project.

CIP Division Manager Troy White explained that Maricopa County Flood Control District had unused funding and came forward and proposed to pay for the construction and construction oversight costs for this project. Mr. White said the design phase should be complete by August 2010 with construction starting early 2011. He also reviewed the comments from the last open house.

Motion to approve the intergovernmental agreement with Maricopa County Flood Control District for the Cloud Road and Sossaman Road Basin and Outlet project (Mortensen/Hildebrandt/Unanimous)

11. Discussion and possible approval of the Town's FY10-11 Tentative Budget.

Town Manager John Kross explained the two step process of the budget approval with the approval of the Tentative Budget being the first step and the Public Hearing for Final Budget being the second step. Mr. Kross said the Tentative Budget sets the budget ceiling for FY10-11 at \$90.2 million.

Mr. Kross provided the process for developing the budget: Capital Improvement Plan (CIP) in Fall, General Fund in January followed by the Budget Committee meetings. He reviewed some highlights of the proposed budget and the cost cutting measures made to close a \$1.6 million gap.

Assistant Town Manager Patrick Flynn commended the Council's conservative fiscal and long range planning policies. Council asked what the impact on the budget would have been if Home Rule had failed. Mr. Flynn stated that the Town's spending limit would have been \$42 million.

Motion to approve the FY10-11 Tentative Budget and set the Public Hearing for May 19, 2010 (Mortensen/Brown)

Vote: 6-1 (Barnes)

Motion Passed.

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. Presentation of the Queen Creek Chamber of Commerce FY09-10 3rd Quarter Report (January – March 2010).

Rustyn Sherer, Chamber of Commerce Executive Director, reported the Chambers activities during the 3rd Quarter which included hosting a candidate forum, annual golf tournament, Neighborhood In Bloom event and several small business seminars and other area events. Mr. Sherer reported on the financial and membership status and upcoming events.

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13. Discussion on Town policy concerning accommodating non-profit organizations use of Town facilities.

Town Manager Kross stated this item was on the agenda at the request of the Budget Committee for consideration of future policy(ies).

Parks & Recreation Director Debra Gomez explained the current user fee philosophy allows discounted rates for facilities to non-profits. Requests for Town support, either In-Kind or monetary are made through an application process to the Budget Committee. Ms. Gomez said that requests have increased with the availability of additional facilities and staff recommends adopting a formal policy that would provide limits of support and program guidelines that would be a part of the annual budget process. Ms. Gomez provided some suggestions to consider that include: public notifications, set criteria, annual review, eligible/ineligible expenses/costs, and allocation of funds and availability of facilities/services.

14. Presentation and update on the design elements for the marquee sign for Horseshoe Park & Equestrian Centre.

CIP Division Manager White presented the preliminary design for a “landmark sign” based on the Council’s March 17, 2010 funding approval. Mr. White stated the placement of the sign (on the north side of drainage channel and outside the 33’ Riggs Road right-of-way) necessitates it being taller than normally allowed.

Eric King, of Summit West Signs, presented the preliminary design and specifications of the sign. Council discussed whether the sign would be visible from Ellsworth Road in order to attract the public. Mr. King said the sign would be visible but whether the message would be visible would depend on the color of lighting and size of message. He recommended the amber lighting. Mr. King also said the sign could be placed more in the drainage channel but there would be additional costs. Council asked if the sign could be a v-shape. Mr. King responded yes, but it would not be as aesthetically pleasing and visibility would be reduced due to the angles.

Mr. White stated the costs for the sign are estimated at \$60,000 which is slightly under budget. Council discussed further the height of the sign, sponsorship opportunities and hours of lighting. Council asked Mr. King whether the sign could be solar powered. Mr. King replied that it would be cost prohibitive and provided additional information on the lighting system of signs.

Council directed staff to move forward with the design of the sign.

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

Motion to reconvene to Executive Session at 9:08pm (Wootten/Barnes/Unanimous)

16. Adjournment

The meeting was adjourned at 10:00pm.

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TOWN OF QUEEN CREEK

Arthur M. Sanders, 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 May 5, 2010 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 19, 2010