



**Minutes**  
**Regular Session**  
**Queen Creek Town Council**  
Queen Creek Town Hall, 22350 S. Ellsworth Road  
Council Chambers  
June 16, 2010  
7:00 p.m.

**1. Call to Order**

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

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

Council Members present: Alston; Benning; Brown; Oliphant; Wheatley; Vice Mayor Barnes and Mayor Barney (telephone). Vice Mayor Barnes conducted the meeting.

**3. Pledge of Allegiance:** Led by Vice Mayor Barnes

**4. Invocation:** Jon Kohler, Deacon of Amadeo Church

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

Vice Mayor Barnes recognized former Mayor Wendy Feldman-Kerr; Former Council Member Tom Murch and Pinal County Supervisor Bryan Martin.

A. 10-Year Service Award – Tom Narva: Interim Public Works Director Troy White presented Tom Narva, Sr. Project Manager – Public Works with a 10-Year Service Award.

Vice Mayor Barnes announced that agenda item #16 was withdrawn and if anyone in the audience wished to speak, they could do so under Public Comment.

**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. **No reports**

B. Transportation Advisory Committee – June 3, 2010: Committee Chair Ryan Nichols reported the Committee received several updates on the re-organization of Town Departments; Barney Farm General Plan Amendment and regional road improvements; and traffic project updates. Committee Members have requested an agenda item on commuter rail and the MAG process be placed on a future Committee agenda. The next meeting is scheduled for July 1, 2010.

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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.

Tom Murch, Queen Creek, thanked the Town for actions taken to clean up the lot on 186<sup>th</sup> and Chandler Heights Roads.

Bryan Martin, Pinal County Supervisor, stated that the Council would hear about the San Tan Valley incorporation effort in the next month and asked for consideration to work regionally with San Tan Valley. Mr. Martin also said he was excited for the construction project of Ellsworth and Empire.

Michael Timm, San Tan Valley, representing Pinal County Taxpayers Association, asked the Council to move cautiously on any approval of incorporation. He said the true costs haven’t been identified.

Tom McPeck, San Tan Valley, a member of San Tan Valley Now, asked that consideration be given to San Tan Valley and other future communities.

**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 May 19, 2010 Work Study, Special Session and Regular Session Minutes.

B. Consideration and possible approval of the May 25, 2010 Special Session Minutes.

C. Consideration and possible approval of the June 2, 2010 Regular Session Minutes.

D. Consideration and possible approval of expenditures over \$25,000.

E. Consideration and possible approval of Council committee assignments.

F. Consideration and possible approval of **Resolution 855-10** authorizing the Town Manager to submit an application for the Arizona Department of Transportation (ADOT) Enhancement Fund Program; approving the application and authorizing the Town Manager to sign all documents necessary for and related to the application. The application is for sidewalk improvements on east side of Ellsworth Road from Cloud Road to Empire Blvd.

G. Consideration and possible approval of an agreement in the amount of \$8503.00 between the Greater Phoenix Economic Council and the Town of Queen Creek for FY2010-2011.

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H. Consideration and possible approval of an agreement in the amount of \$55,000 between the Queen Creek Chamber of Commerce and the Town of Queen Creek for FY2010-2011.

I. Consideration and possible approval of an agreement in the amount of \$106,250 between the Queen Creek Cultural Foundation and the Town of Queen Creek for FY2010-2011.

J. Consideration and possible approval of an agreement in the amount not to exceed \$81,250 with the Boys and Girls Club of the East Valley for FY2010-2011 community recreation services.

K. Consideration and possible approval of an Extension of Premises/Patio Permit liquor license application submitted by Randy Nations on behalf of Uncle Bear's Grill & Bar, 21151 E. Rittenhouse Rd., Queen Creek (Cornerstone shopping center) for an event on July 4, 2010.

L. Consideration and possible approval of **Ordinance 483-10** setting the primary property tax rate and levy for FY2010-2011.

M. Consideration and possible approval of **Ordinance 484-10** setting the secondary property tax levy for Street Lighting Improvement Districts for FY2010-2011.

Council requested Items D & K removed for discussion.

**Motion to approve the remainder of the Consent Calendar** (Alston/Benning/Unanimous)

**Item D:** Council asked for clarification on costs for bill printing and mailing for utility services. Utility Director Paul Gardner reviewed the cost savings of \$12,000 in FY09-10 by contracting with DataProse. He said there were savings on equipment and multiple printings (monthly newsletters).

**Motion to approve Item D on the Consent Calendar as presented** (Wheatley/Alston/Unanimous)

**Item K:** Council asked if Uncle Bear's had agreed to use MCSO for security. Town Manager Kross responded that the applicant agreed to comply with all policies and requirements of the Town and MCSO. There was discussion on supporting local businesses but having some concerns with alcohol and beer gardens at a family event.

**Motion to approve Item D** (Alston/Oliphant) 6-1 (Wheatley)  
**MOTION PASSED.**

**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.

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**9.** Public Hearing and possible action on **Resolution 854-10/GP10-014 Church Farm Minor General Plan Amendment**” a request by Greg Davis of Iplan Consulting on behalf of William Lyon Homes to amend the General Plan Land Use Map designation for 20 acres located at the southeast corner of Ocotillo and Signal Butte Roads from Community Commercial to Medium Density Residential (2-3du/ac).

Planning Manager Wayne Balmer provided an overview of the previously approved Church Farm project and identified the 45-acre parcel on the southeast corner of Signal Butte and Ocotillo Roads that is currently identified as community commercial. Mr. Balmer said that the minor general plan amendment request is to change the southern ½ to medium-density residential. Mr. Balmer explained the change was requested because of the realignment of Signal Butte Rd., resulting in lower traffic counts/volume and the applicant believes that 45 acres of community commercial is now too large. The Planning and Zoning Commission recommended approval.

Council asked what type of store would fit on the smaller area. Ralph Pew, representing the applicant, explained that a typical grocery store anchored shopping center is about 13-16 acres, and 25 acres is too small for a big box anchor. He added that in 2004 when the original general plan amendment was made, requesting 45 acres of commercial was sensible.

Council also asked if any commercial was identified along Meridian Road. Mr. Balmer responded that the applicant doesn't own the property.

An additional question of why there wasn't commercial identified on Signal Butte was asked. Mr. Pew explained that Ocotillo Road has a higher volume of traffic and the very right (east) portion of the project is under separate ownership.

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

**Motion to approve Resolution 854-10/GP10-014 Church Farm Minor General Plan Amendment” (Benning/Alston/Unanimous)**

**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.

**10.** Discussion and possible action on the final approval of the Horseshoe Park and Equestrian Centre landmark/marquee sign and approval of a contract in the amount not to exceed \$65,000 with SummitWest Signs for the construction and installation of sign.

Interim Public Works Director Troy White gave a brief review of previous capital improvement approvals for Horseshoe Park & Equestrian Centre, including signage. Mr. White said the Council requested some additional outreach to the adjacent homeowner in regard to lighting of the sign. Mr. White reported that he met with the homeowner and is supportive of the proposed sign. The homeowner also wanted to acknowledge HPEC staff.

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Mr. White also addressed concerns about the larger size of the sign. He explained that with the necessary location 85' from the road edge (due to needing to straddle drainage channel) the size needed to be larger. Mr. White also said a larger sign is consistent with the existing HPEC signs. He also explained that with the larger sign, sponsorship signs would be more visible. Mr. White added that the sign is located ½ mile from Ellsworth Road and is not visible/readable from that distance.

Council asked if there would be a video display. Mr. White responded yes and it would be 6' x 8'.

Council suggested some type of exposure to HPEC be considered on Ellsworth Road in the future. Town Manager John Kross stated that off-site signage is on the agenda for discussion and also could be placed on a future agenda.

**Motion to approve the Horseshoe Park and Equestrian Centre landmark/marquee sign and approval of a contract in the amount not to exceed \$65,000 with SummitWest Signs for the construction and installation of sign (Brown/Alston/Unanimous)**

The meeting was recessed from 8pm – 8:10pm.

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

Agenda Items were discussed in the following order: #14, #12, #11 and #13

**11. Presentation of the 2010 Citizen Survey results.**

Information and Marketing Director DeeAnne Thomas gave an overview of the survey process used for 2010.

Shelby Clarke, of Issues and Answers provided additional details of conducting the survey and results. Council discussed the sample size determination and stated that they liked the map interaction with the survey results.

**12. Presentation by Maricopa Association of Governments (MAG) on Commuter Rail Studies.**

Marc Pearsall, representing MAG, provided an overview of the Commuter Rail Studies. Mr. Pearsall explained that a commuter rail is similar to a regular passenger train as it connects suburbs with larger cities. Mr. Pearsall discussed several areas of the study including prioritization of service routes with the Queen Creek section ranking high.

**13. Presentation by Arizona Department of Transportation (ADOT) on the North-South Corridor Study.**

Javier Gurrola, representing ADOT, gave a presentation on the North-South Corridor Study, showing the various phases of the study which is expected to take approximately three years to

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complete. Council did have questions on the width of study corridors and when or how those are narrowed down.

**14. Discussion on the Town's Code Enforcement program on "gateway streets".**

Planning Manager Wayne Balmer gave a presentation on current issues and concerns regarding weeds, debris, signs, graffiti and roadside sales along the Town's gateway streets generally identified as Power Road, Ellsworth Road, Chandler Heights Road, Riggs Road and Ocotillo Road. Mr. Balmer explained the compliance and abatement process the Town currently uses to handle vacant property, private property and permissions; multiple jurisdictions (county or Town). He also provided some statistics on complaints, saying the timeline for abatement is about 4-6 months if court referral is necessary.

Mr. Balmer suggested several areas for Council consider including a Town Code amendment to the Nuisance Code (Chapter 10); implementing a more pro-active weed removal; additional cooperation between jurisdictions; creating a "clean and lien" process and possibly using directional signs that would reduce the number of individual directional signs.

Council discussed using outside vendor/contractor for clean-ups and requested a cost analysis of prosecuting vs. a clean and lien program.

Town Manager Kross added that current costs to the Town for prosecuting is staff time, based on the intergovernmental agreement with the Town of Gilbert. He also said that criteria will be developed that will identify when a 'clean and lien' process would be triggered.

Council stated that a clean well-kept community is necessary to attract new businesses and residents.

**15. Discussion on off-site signage opportunities for events in the Town.**

**Motion to continue to July 21, 2010** (Brown/Alston/Unanimous)

**16. Presentation and discussion by San Tan Valley incorporation committee.**

Previously withdrawn from agenda.

**17. 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 adjourn to Executive Session at 9:50pm** (Alston/Oliphant/Unanimous)

**18. Adjournment**

The meeting was adjourned at 11:03pm.

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TOWN OF QUEEN CREEK

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Gail Barney, Mayor

Attest:

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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 June 16, 2010 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, MMC

Passed and approved on July 21, 2010