



Minutes
Regular Session
Queen Creek Town Council
Queen Creek Town Hall, 22350 S. Ellsworth Road
Council Chambers
March 2, 2011
7:00 p.m.

1. Call to Order

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

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.

3. Pledge of Allegiance: Led by Mayor Barney.

4. Invocation: Pastor Aaron Pennington, Central Christian Church of the East Valley

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

None.

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 Benning:

- Central Arizona Association of Governments Legislative Day: February 24, 2011: presentations were given on transportation funding, current legislative bills affecting cities & towns, especially SB 1525 regarding development fees.
- Pinal County Alliance: February 18, 2011: discussion included lobbying services related to the redistricting process for Pinal County and several committee reports were given.

Mayor Barney:

- Maricopa Association of Governments: February 23, 2011: presentations and discussion about Metro (light rail), MAG's withdrawal of the MAG 5 Percent Air Quality Plan and transportation project updates.

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- Desert Mountain Park Trail Dedication: February 26, 2011: Mayor Barney reported on the trail dedication for the link between Desert Mountain Park and the Queen Creek Wash trail system.
- Boys and Girls Club of the East Valley – Youth of the Year Event: February 28, 2011: Mayor Barney reported on participating as a judge for this event. There were 9 candidates and each was judged on 10 categories. The winner is selected at the state level and wins a \$1000 scholarship and can go on the Regional and national levels. The awards banquet is scheduled for March 7, 2011.
- Phoenix-Mesa Gateway Airport: February 22, 2011: The Board discussed the proposed FY2012 budget; construction and financing of the Maintenance and Repair Facility; and Aviation Day at the Airport event scheduled for Saturday March 12, 2011.

Council Members Oliphant and Wheatley and Mayor Barney also participated in the Read Across America program on February 28, 2011.

B. Partner agencies quarterly or periodic updates to Council. This may include but is not limited to Queen Creek Chamber of Commerce; Queen Creek Performing Arts Center; Boys & Girls Club of East Valley; and Maricopa or Pinal County Board of Supervisors or other governmental agencies. 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.

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 February 2, 2011 Work Study and Regular Session Minutes.

B. Consideration and possible approval of the February 16, 2011 Work Study and Regular Session Minutes.

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Motion to approve the Consent Calendar as presented (Brown/Benning/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.

9. Public Hearing and possible approval of **RZ11-006/DR11-007 – Ordinance 495-11** “Fulton Homes at Ash Creek Estates” a request Bonnie Williams of Fulton Homes to amend the previously approved Planned Area Development (PAD) to modify setbacks and lot coverage requirements in addition to proposing four new floor plans with three elevations each. Ash Creek Estates is located south of 220th Street and Ocotillo Road.

Planner Dave Williams reviewed the applicant’s request to increase the lot coverage to 40% and allow a 20ft. setback to accommodate larger homes. Mr. William showed the current site plan, highlighting the street landscape islands that provide for additional set back and streetscape variation. The proposed building elevations were also presented. Mr. Williams reviewed the revised stipulations as recommended by the Planning and Zoning Commission.

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

Motion to approve RZ11-006/DR11-007 – Ordinance 495-11 “Fulton Homes at Ash Creek Estates” a request Bonnie Williams of Fulton Homes to amend the previously approved Planned Area Development (PAD) to modify setbacks and lot coverage requirements in addition to proposing four new floor plans with three elevations each. Ash Creek Estates is located south of 220th Street and Ocotillo Road (Benning/Alston/Unanimous)

10. Public Hearing and possible approval of **SP10-083/CU10-084** “Big-O Tire” a request by Al Cappello of Cappello and Looker Architects for Site Plan, Landscape Plan, Building Elevation Plan and Conditional Use Permit approval for Big-O Tire at Power Marketplace, located near the southeast corner of Power and Rittenhouse Roads.

Planner Dave Williams reviewed the site plan, conditional use permit and building elevation/design review that meets the Power Marketplace design elements and was recommended for approval by the Planning and Zoning Commission.

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

Motion to approve SP10-083/CU10-084 “Big-O Tire” a request by Al Cappello of Cappello and Looker Architects for Site Plan, Landscape Plan, Building Elevation Plan and Conditional Use Permit approval for Big-O Tire at Power Marketplace, located near the southeast corner of Power and Rittenhouse Roads (Benning/Brown/Unanimous)

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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.

None.

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

11. Update and discussion on the 2011 Legislative Session concerning bills affecting cities and towns.

Management Assistant and Intergovernmental Liaison Wendy Kaserman gave a brief overview of the bills she is tracking. Those bills include:

- SB 1220/1221 – Model City Tax Code and Urban Revenue Sharing
- SB 1525 – Development Fees (Governor may convene a stakeholders meeting)
- SB 1165 – 3rd Party Tax Collection prohibition
- SB 1286 – 60 day permit approval-there is concern regarding sexually oriented business (SOB) applications and Conditional Use Permit applications (CUP) that have statutory hearing requirements that may not be attainable in 60 days.
- HB 2289 – Residential Rental tax rate process – requires a public vote
- HB 2275/SB 1333 – incorporation and de-annexation

Economic Development Director Doreen Cott also commented SB 1041 – Invest Arizona that is sponsored by Greater Phoenix Economic Council (GPEC) and noted that this is a separate bill from the jobs package signed by the Governor on February 17, 2011.

Ms. Kaserman also reviewed several bills that are applicable to the larger cities:

- SB 1332 – Managed competition – bid requirement for over \$50,000
- SB 1327 – Recall of County and City Managers (currently dead)
- SB 1375 – Staffing level and compensation limits

Ms. Kaserman provided contact information for legislators and how to obtain legislative updates from the State website.

12. Discussion and update on Maricopa County Flood Insurance Rate Map revisions.

Principal Engineer/Floodplain Administrator Chris Dovel presented and reviewed the map revisions driven by FEMA – through Maricopa County Flood Control District, including the changes that will affect some areas of the Town. Mr. Dovel stated that the Town has adopted floodplain management ordinances for Maricopa and Pinal County's and regulates/enforces development within floodplain areas.

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Mr. Dovel reviewed one change that affects the Town, consideration that canals, highways and railroad embankments don't meet requirements to be considered as non-levee embankment and are now mapped as Special Flood Hazard Areas. The areas impacted by this change are the Rittenhouse Channel-areas of the Sonoqui Wash, Queen Creek Wash and UPRR embankment, and a small area of Sossaman Estates at Jacaranda Blvd (retention basin). Mr. Dovel said that while property is added to the floodplain no structures are added. Council asked whether there would be any affect on the property owner. Mr. Dovel responded that banks/lenders are typically concerned with structures and usually require flood insurance.

Mr. Dovel continued to show the properties affected by the map changes at Schnepf Farms, Sentierro subdivision and Alliance Lumber.

Mr. Dovel provided information on the schedule of the map revision process and how to provide public input to FEMA.

13. Adjournment

The meeting was adjourned at 8:06pm.

TOWN OF QUEEN CREEK

Gail Barney, 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 March 2, 2011 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 April 6, 2011.