



Minutes
Regular Session
Queen Creek Town Council
Queen Creek Town Hall, 22350 S. Ellsworth Road
Council Chambers
August 3, 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; Barnes; Benning; Oliphant; Wheatley; Vice Mayor Brown and Mayor Barney.

3. Pledge of Allegiance: Council Member Alston

4. Invocation: Pastor Ben Lee, Living Waters Bible Church

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

Mayor Barney read the following:

- Proclamations: Child Support Awareness Month
 Dust Awareness Month
 Drowning Awareness Month

- Queen Creek Fire Crew recognition: Assistant Fire Chief Ron Knight recognized Station 411 A Shift – Captain Eric Dendinger, Engineer Jeff Clark, Engineer Roberto Denogean, Firefighter Daniel Algara and Firefighter Aaron Athey who over the past few months have assisted two separate cardiac arrest patients who were both successfully resuscitated and the crew was able to speak with the patients at the hospital before going back on duty. Mr. Knight explained the significance of this because of the small percentage of cardiac arrest survival rate when occurring outside of a hospital.

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.

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Mayor Barney reported on the following meetings:

Canadian Consulate's Office – July 26, 2011: Along with Town Manager Kross and Economic Director Cott, I met with staff members of the Consulates office as a follow-up on Maricopa Association of Government's economic development outreach efforts. Economic development activities/opportunities for the Town were discussed as well plans for touring the community once the new Consulate for Arizona arrives.

Pinal County Board of Supervisors Meeting – July 27, 2011: Attended the Board of Supervisor's meeting to speak against a commercial rezoning request for 97 acres on Hunt Highway, just east of Thompson Road. The Council heard a presentation in February about the request and forwarded comments in opposition, with two follow-up letters sent to the Board of Supervisor's. The case was continued twice and finally approved 2-1. The issues of concern are traffic problems on Hunt Highway and an additional 97 acres of unplanned commercial zoning.

Maricopa Association of Governments (MAG) – July 27, 2011: The Regional Council received an updates on air quality issues and heat relief network and locations around the valley. A 3-1-1 Business Plan committee was formed to explore a system for non-emergency information calls and the Regional Council will hear updates at a future meeting. An update on the MAG Economic Development Committee was also presented.

Council Member Benning reported on the following meeting:

Pinal County Governmental Alliance – July 22, 2011: Two presentations were given- the ADOT Intercity Rail Study and one from The Alliance's consultant for the redistricting process, Robert Lynch. Mr. Lynch presented several maps for revised congressional and legislative districts based on census results. Mr. Lynch is presenting the same maps to the entire Queen Creek Council for review and discussion. The next meeting is August 24, 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.

None.

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.

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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 July 20, 2011 Work Study and Regular Session Minutes.

B. Consideration and possible approval of the reappointments of Jason Barney, Carson Brown, Mark Schnepf and Steve Sossaman and the appointment of Randy Parish to the Economic Development Commission for a two (2) year term.

C. Consideration and possible approval of the appointment of Steve Conklin to the Transportation Advisory Committee.

D. Consideration and possible approval of the reappointment of Jason Barney as the Town's representative on the Greater Phoenix Economic Council (GPEC) Board of Directors for FY11/12.

E. Consideration and possible approval of an Intergovernmental Agreement with the Arizona Department of Transportation to allow the State to acquire federal funds for pavement marking enhancements to Empire Blvd/Hunt Hwy between Power and Gary Roads.

F. Consideration and possible approval of an Extension of Premises/Patio Permit submitted by Larry Hoel, Queen Creek Café & Sports Lounge, 22002 S. Ellsworth Rd., to allow for a permanent outside patio area adjacent to the bar area.

G. Consideration and possible approval of a license agreement with the National Reined Cow Horse Association, Inc. (NRCHA).

H. *Item was moved to Final Action # 11*

I. Consideration and possible approval of **DR11-042** "Standard Pacific Homes at Charleston Estates, 1st Amendment" a request by Sue Mozer of Standard Pacific Homes for approval of one floor plan with three elevations to be constructed in the Charleston Estates subdivision located at the northwest corner of Signal Butte and Ocotillo Roads.

***J. Public Hearing, consideration and possible approval of RZ10-102/SD11-052/Ordinance 501-11** "Charleston Estates" a request by Carol Grumley of Standard Pacific Homes to modify the existing Planned Area Development (PAD) to change the

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existing R1-12 zoning to R1-7 zoning, with an overall increase of approximately 44 residential lots. The property is located at the northwest corner of Signal Butte and Ocotillo Roads. ***The applicant has requested a continuance to the August 17, 2011 Council meeting***)

***K. Public Hearing, consideration and possible approval of CU11-032/SP11-033** "Sprint Cell Tower" a request by Danielle Wachter of Wireless Resources on behalf of Hadrian Synergy and Sprint for modification of Conditional Use Permit SU01-96 to remove Condition of Approval #3 limiting the maximum number of cellular and microwave antennas for the cell tower located at 18433 E. Rittenhouse Road (zoned I-1).

Council requested Item F pulled from Consent for discussion.

Motion to approve the remainder of the Consent Calendar as presented (Brown/Alston/Unanimous)

Item F: Town Manager Kross reviewed the staff report provided to Council including building permit requirements after the extension permit is approved. Council discussed concerns with the downtown location and efforts to upgrade the building as other businesses have.

Motion to approve Item F as presented (Benning/Oliphant) Vote: 6-1 (Brown) **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.

Motion to suspend the Rules and hear Item 13 prior to Item 9 (Barney/Brown/Unanimous)

9. Public Hearing, discussion and possible approval of **RZ11-030/SP11-015/ORDINANCE 502-11** "Rock Point Church" a request by Craig Goldstone of Todd and Associates on behalf of Rock Point Church to terminate the existing Planned Area Development (PAD) and rezoning and approve new PAD requirements and a modified Site Plan for a 24,000 sq. ft. church on approximately 5.4 acres. The project is located near the southeast corner of Power and Cloud Roads.

Planner Dave Williams reviewed the applicant's site plan modification for a 5.4 acre portion of the original site plan. Mr. Williams said the underlying zoning classification will remain as R1-43 as the application is for a church. The Planning and Zoning Commission recommended approval.

There was discussion on the offsite improvements, drainage and landscape plan requirements. Council asked whether there were plans for potential growth or other use

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intentions for the remainder of the property. Mr. Williams responded that it was going to be held in reserve for now.

After additional discussion on landscaping, Council Member Benning proposed an additional stipulation requiring the east perimeter landscaping be installed upon any ownership transfer/change.

Dave Sutherland, representing the applicant, was in agreement with the additional stipulation.

Motion to approve RZ11-030/SP11-015/ORDINANCE 502-11 “Rock Point Church” as recommended by the Planning and Zoning Commission with the additional stipulation requiring east perimeter landscaping completed by Rock Point Church if property immediately adjacent is sold or transferred (Benning/Wheatley/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 approval of **Resolution 887-11** approving a Development Agreement with Rock Point Church, an Arizona non-profit corporation for the construction of the offsite improvements and payment therefore.

Community Services Director Tom Condit stated the development agreement addresses the offsite improvements, timing and payment over a five-year period. Council asked whether the increased traffic on Power Road attributed to the church would be addressed. Mr. Condit responded that turn lanes would be provided.

Motion to approve Resolution 887-11 approving a Development Agreement with Rock Point Church (Wheatley/Alston/Unanimous)

11. Discussion and possible approval of **DR11-031** “Highland Homes at Crismon Heights 3rd Amendment” a request by Kendall Baxley of KB Drafting and Design for approval of two additional floor plans with three elevations each to be constructed in the Crismon Heights subdivision located at the northeast corner of Crismon and Ocotillo Roads.

Planner Dave Williams gave a staff report on the design review application and proposed elevations. Council stated they were pleased with the designs.

Kendall Baxley, representing Highland Homes, explained that the homes were designed to fill 12 orphan lots in Crismon Heights and complements the existing designs.

Mark Pugmire, representing Highland Homes, came forward to respond to any questions or comments. Council referenced a recent news article and the tax situation

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and asked about a resolution. Mr. Pugmire stated that he hoped it can be resolved and the debt has been paid down and he is continuing to make payments.

Motion to approve DR11-031 “Highland Homes at Crismon Heights 3rd Amendment” (Benning/Barnes/Unanimous)

12. Discussion and possible direction on producing the Roots N’ Boots event at Horseshoe Park and Equestrian Centre in FY11/12.

Recreation Superintendant Adam Robinson presented two options for funding and producing a Roots N’ Boots event next year. Option A is an event produced by Friends of Horseshoe Park with funding sponsorship from the Town and Option B is a Town led event with assistance from Friends of Horseshoe Park. Mr. Robinson reviewed points of each option including fiscal impact to the Town and liability. He provided further detail of staff time involved for options, in-kind costs, marketing, sponsorships, PRCA rodeo; parking and general tasks and responsibilities. He added that the potential loss of rental revenue from another event should be considered as well as the possibility of changing the date for Passport to Discovery to allow the necessary staff time and planning for a Roots N’ Boots event. Mr. Robinson stated that the drop dead date for cancelling the Roots N’ Boots for next year would be December 29.

Mr. Robinson wrapped up his presentation with reviewing the Options A & B; postponing the event until FY12/13; having a third-party organizer put the event on; or discontinue the event. Council discussed the Town’s current budget and funding other programs.

Council discussed at length other issues and options in considering the Roots N’ Boots event: delaying until FY12/13; competing revenue generating events; funding other Town events with sponsorships; using volunteers to put the event on; cost of in-kind funding and effects on other Town programs and producing a smaller family rodeo with fewer days & activities. The importance of creating Queen Creek as a destination place and promoting Horseshoe Park was also discussed.

Council asked Jon Wootten, representing Friends of Horseshoe Park how the group felt about being the sponsor of the event and possibly skipping a year. Mr. Wootten responded that Option A with FOHP leading the event planning would be a huge undertaking and would prefer a transition period from Town event to FOHP event. He explained that FOHP is a non-profit organization and all proceeds would go to the Town as the purpose of their involvement was to help the Town. He added that FOHP believes that the event would break even.

Further discussion was about having a Sunday event and potential participation; additional required approval of contingency fund allocation for the \$28,000 (seed money & staffing).

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Motion to approve Option A, a Friends of Horseshoe Park (FOHP) led event and continue negotiations to produce a Roots N' Boots event in FY11/12 (Alston/Benning) Vote: 4-3 (Barnes, Brown, Wheatley)

Motion Passed 4-3

13. Discussion and possible direction/input on redistricting.

Management Assistant Wendy Kaserman introduced Bob Lynch, the redistricting consultant for Pinal County Governmental Alliance. Ms. Kaserman reported that she and Council Member Benning attended the PCGA meeting where the maps were presented and Council Member Benning felt that the entire Council should have the opportunity to review and comment on the maps.

Mr. Lynch gave a presentation that included the requirements for redistricting based on the Voting Acts Right Title 5 and results of the 2010 census. The maps presented showed Queen Creek being included in a new legislative District 9 which would be entirely in Pinal County. Council discussed pros and cons of being within an urban district vs. rural district. Mr. Lynch added that the proposed new District 9 includes all of Queen Creek so it would not be split and the population is needed for the new district.

Discussion also included timeframes for the redistricting process; pre-clearance requirements; the Independent Redistricting Commission and their responsibilities. Mr. Lynch stated that comments would be needed soon.

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

14. Discussion on starting an online Queen Creek store.

PIO Marnie Schubert provided a cost analysis between an on-line promotional store vs. an on-ground promotional store. The presentation included the revenue potential and benefits of spreading the "Queen Creek" name, focusing on fun items. Ms. Schubert explained that the program is unfunded and requested direction on whether to do further investigation on the program.

Council discussed staffing responsibilities and the marketing and promotion of the Town. Council concurred to hold off on any Queen Creek store at this time.

15. Presentation on the PM-10 Rapid Response Plan.

Management Assistant Ramona Simpson provided information on the PM-10 program and action plan for Arizona Department of Environmental Quality and the Town to address dust and particulates.

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

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Motion to adjourn to Executive Session at 9:35pm (Brown/Benning/Unanimous)

17. Adjournment

The Regular Session reconvened and adjourned at 11:05pm.

TOWN OF QUEEN CREEK

Jeff Brown, Vice 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 August 3, 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 September 7, 2011.