



**Minutes**  
**Regular Session**  
**Queen Creek Town Council**  
Queen Creek Town Hall, 22350 S. Ellsworth Road  
Council Chambers  
August 17, 2011  
7:00 p.m.

**1. Call to Order**

The meeting was called to order at 7:03pm.

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

Council Members present: Alston; Barnes; Benning; Oliphant; Wheatley and Mayor Barney. Vice Mayor Brown was absent.

**3. Pledge of Allegiance:** Led by Council Member Wheatley

**4. Invocation:** Pastor Ron Nelson, Lifelink Church

**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.

Mayor Barney gave a brief summary of the Council Retreat held August 12-13. The issues discussed included core services; land use matters; Town Center development; economic development partnerships and non-profits. The retreat outcome will be followed up with a revised strategic plan.

Council Member Barnes reported on the August 10, 2011 Community Development Advisory Committee (CDAC). The annual election of officers was held; HUD regulations were discussed and the Committee members considered CDAC staff recommendations for FY11-12 funding applications. Queen Creek's application was not considered under the "Slum and Blight" category. The next meeting will be September 14, 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

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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.

East Valley Boys & Girls Club Area Director Chio provided the 4<sup>th</sup> Quarter report. He reported that Director Duran resigned to take another position and reported on the membership statistics, focusing on zip code 85142. Chio also provided a summary of the 1<sup>st</sup> Quarter (11/12) plans and goals.

C. Transportation Advisory Committee – August 4, 2011: Chair Ryan Nichols reported the committee elected member Chris Clark as Vice Chair; finalized the workplan for FY11-12; and discussed roadway design standards and traffic calming. The next meeting is scheduled for September 1, 2011.

D. Parks and Recreation Advisory Committee – August 9, 2011: Vice Chair Dru Alberti reported that the Committee received presentations on the FY11/12 Budget; Roots N' Boots event; Trunk or Treat event and the candy drive; and recreational programs funded for FY11/12. The next meeting is scheduled for October 11, 2011.

**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 expenditures over \$25,000.

B. Consideration and possible approval of Salt River Project "Power Distribution Easements (SRP Job No. KE6-455) for underground electrical service relocates for the Cloud Road Basin-Sossaman Road Drainage project (D0004).

C. Consideration and possible approval of an amendment to Service Contract #2010-55 in an amount not to exceed \$12,672.76 over a two-year period with the Queenland Manor Estates Community Association for landscape maintenance of a public use easement.

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D. Consideration and possible approval of a one-year Janitorial Services Contract with up to four (4) possible one-year renewals with J & J Janitor Service in an amount not to exceed \$81,820.

E. Consideration and possible approval of one-year Signage Services Contracts with up to four (4) possible one-year renewals with FastSigns, Motivational Systems, Inc., and SummitWest Signs for printing of signage on an as-needed basis.

F. Consideration and possible approval of an Intergovernmental Agreement with Arizona Department of Transportation (ADOT) in the amount of \$652,358 for design and construction of the Queen Creek Wash Trail from Desert Mountain Park to Ellsworth Road.

G. Consideration and possible approval of the reappointments of Dru Alberti, Daniel Babcock, Michael Shirley and Jason Weber to the Parks and Recreation Advisory Committee.

H. Consideration and possible approval of the Transportation Advisory Committee's Work Plan for FY2011-12.

I. Consideration and possible approval of the League of Arizona Cities and Towns proposed resolutions.

Council requested Item C removed and staff requested Item H removed.

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

**Item C:** Council discussed concern about the costs paid by the Town for a portion of trail with no connection and used almost exclusively by Queenland Manor residents as well as the possibility of abandoning the trail earlier than two years.

Staff responded that the contract is a phase-out of on-going maintenance and water costs for a public trail. Council asked if there were any other similar trails in neighborhoods that the Town supported. Town Manager Kross responded that the trails are part of the Parks, Trails and Open Space Master Plan which has changed over time.

Debbie Gomez, Special Projects Coordinator, added that the maintenance support was included in the original development agreement for Queenland Manor but now the Town requests that HOA's support any open space within a development/neighborhood and the only other such trail is in Montelena.

**Motion to approve Item C as presented (Benning/Barnes) Vote: 5-1 (Alston) Motion passed**

**Item H:** Staff requested a continuance to September 7, 2011.

**Motion to continue Consent Agenda Item H to the September 7, 2011 meeting  
(Alston/Wheatley/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, consideration and possible approval of Ordinance 503-11 amending the Schedule of Service Fees and Rates within the Town's Sewer Utility Program.**

Assistant Town Manager Patrick Flynn gave a staff report on the proposed annual incremental rate increase over a five-year period as part of an agreement with the Wastewater Infrastructure Authority (WIFA) in 2005. Mr. Flynn explained that internal loans to the sewer enterprise fund and sewer fund reserves are also being used in conjunction with the restructure of the loan.

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

**Motion to approve Ordinance 503-11 amending the Schedule of Service Fees and Rates within the Town's Sewer Utility Program (Alston/Benning/Unanimous)**

**10. Public Hearing, consideration and possible approval of RZ10-102/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 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. *(This was continued from the August 3, 2011 meeting )***

Planning Manager Wayne Balmer reviewed Charleston Estates currently zoning and site plan for 331 lots. The request for modification would add 44 more lots. Mr. Balmer also reviewed the modification requests that staff supports.

Council asked for clarification on the density increase and reduced minimum lot size. Mr. Balmer explained that the minimum lot size would be larger than the minimum and an increase in open space would be provided. There was discussion on the current trend for developers to ask for amendments to increase density in approved subdivisions.

Concerns were also discussed regarding requests to reduce medium density projects to higher density (suburban to urban); density calculation using open space; homes fitting on smaller lots; and buffering between the development and an existing one-acre county subdivision to the north.

Ralph Pew, of Pew & Lake, representing the applicant addressed Council's concerns. Mr. Pew stated that the applicant is in agreement with the Planning and Zoning Commission and staff stipulations and recommendations. Mr. Pew also stated that the

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applicant had met with the neighborhood to the north to address the outstanding issue of the buffering transition on the north boundary. Mr. Pew reported that issues regarding ATV access and the Appleby Road easement access to the existing subdivision have been agreed upon.

Additionally, Mr. Pew asked that Stipulation #31 be modified to require a 25-ft setback and prohibition of two-story homes on Lots 6-22 as discussed and agreed to during neighborhood meetings.

There was also discussion on the grade separation between Charleston Estates and Appleby Road (Charleston Estates being higher) and the appearance of a 6 ft. fence being taller and a possible stipulation that the back walls be 4ft/2ft view fence for Lots 6-22.

Mr. Pew added that the requested changes are internal to the subdivision and the landscape plans will be approved at a later date.

The Public Hearing was opened.

Kimberly Mlazgar, Appleby Road, stated appreciation for Council's concerns and comments and that after meeting with the applicant and the agreed upon changes she supports the requests.

Lorraine Love, stated appreciation for the concessions made by the builder but was still concerned about looking into neighbors backyards and would like more information on the fence detail.

Mr. Pew explained how the grade variation and higher ground of Charleston Estates and landscaping in addition to the 110ft between Ms. Love's property and north perimeter wall would prevent such views.

Joe Passarella, 220<sup>th</sup> Place, spoke in support of the proposal as presented and said the applicant had addressed his concerns.

The Public Hearing was closed.

Council further discussed the fence details and keeping the higher density internal.

**Motion to approve Ordinance 501-11/RZ10-102 with the recommended stipulations and the modified Stipulation #31 to require:**

- **25ft rear yard setback and one-story homes on Lots 6-22**
- **4 ft/2ft view fence on Lots 6-22 (not to exceed 6 ft)**

(Alston/Wheatley)

**Motion to amend adding the landscape buffer along the north perimeter be a B-2 as designated in the Zoning Ordinance (Benning)**

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**Amendment was accepted by Alston/Wheatley**

**Vote: 5-1 (Barnes)**

**Motion Passed**

**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.

11. Discussion and possible action on a request from Pinal County for comments on Comprehensive Plan Amendment PZ-PA-006-11 to amend the Pinal County Comprehensive Plan to incorporate a proposed development concept for the 275 square mile Superstition Vistas project. The area is located east of the Town of Queen Creek.

Town Manager Kross requested a continuance to the September 7, 2011 Council Meeting.

**Motion to continue Item 11 to September 7, 2011 (Benning/Barnes/Unanimous)**

12. Discussion and possible direction/input on redistricting.

Intergovernmental Liaison Wendy Kaserman provided additional information on the redistricting process as a follow-up to the August 3, 2011 presentation by Bob Lynch, Pinal County Alliance's consultant. Ms. Kaserman said further research on the pros and cons of staying in an urban district vs. rural district had been done and the Independent Redistricting Committee had released grid maps, only two of which met the redistricting requirements. Ms. Kaserman referred to a draft letter provided to Council requesting that the IDC keep Queen Creek in an urban district. Council discussed also specifying to keep Queen Creek whole and aligned with Maricopa County.

**Motion to send a letter to the Independent Redistricting Committee as discussed with the addition of requesting that the entire Town of Queen Creek remain whole and in Maricopa County (Benning/Barnes/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.

13. Discussion on irrigation.

Utility Director Paul Gardner showed a map of the Queen Creek Irrigation District and explained that irrigation staff currently opens ports in Queen Creek Ranchettes, Circle G, Creek View, Orchard Ranch and Pegasus. Mr. Gardner further explained that as a part of the FY11-12 Budget, the service will no longer be offered. Mr. Gardner summarized the transition plan to end opening/closing of ports and educating the property owners. The outreach includes letters to users and HOA meetings, with the transition expected to take 2-3 months.

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**14. 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 8:45pm** (Barnes/Alston/Unanimous)

**15. Adjournment**

The Regular Session reconvened and adjourned at 9:10pm.  
(Barnes/Oliphant/Unanimous)

TOWN OF QUEEN CREEK

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Jeff Brown, Vice 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 August 17, 2011 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 September 7, 2011.