



**Minutes**  
**Regular Session**  
**Queen Creek Town Council**  
Queen Creek Town Hall, 22350 S. Ellsworth Road  
Council Chambers  
March 21, 2007  
7:00 p.m.

**1. Call to Order**

The meeting was called to order at 7:12pm.

**2. Roll Call**

Council Members present: Barney; Coletto-Cohen; Mortensen; Wootten; Vice Mayor Valenzuela and Mayor Sanders. Council Member Hildebrandt was absent.

**3. Pledge of Allegiance**

Led by Mayor Sanders.

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

A. Recognition to the Queen Creek High School Robotics Team for winning the FIRST Robotics Competition Regional Title.

Shana Swinford, Jeremy Bowker, Matt Thiem and Jessi Wootten, representatives of the Queen Creek High School Robotics Team, gave a presentation on the Robotics Competition, winning the competition and being selected to participate in the Nationals. The Team members announced that General Motors had donated the \$5,000 entry fee and asked those in attendance at the Council Meeting for additional financial assistance in order to make the trip to the Nationals.

Interim Town Manager Kross introduced Bruce Gardner, Human Resource Manager and Lt. John D'Amico, who was recently assigned to Queen Creek.

**5. 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.

**6. Consent Calendar:** Matters listed under the Consent Calendar are considered to be routine and will be enacted by one motion and one vote. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Calendar and will be considered separately.

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A. Consideration and possible approval of the March 7, 2007 Work Study & Regular Session Minutes.

B. Consideration and possible approval of purchases over \$10,000.

C. Consideration and possible approval of line item budget reallocations.

\*D. Consideration and possible approval of the final acceptance of public improvements of the The Villages II including the Queen Creek Bank Stabilization Project and begin the one year warranty period.

E. Consideration and possible approval of a change order to the Dibble Engineering design contract in the amount not to exceed \$93,122 for design changes to the Improvement District.

F. Consideration and possible acceptance of the Town Comprehensive Annual Financial Report for FY05-06.

G. Consideration and possible approval of the purchase of preformed speed cushions in the amount not to exceed \$18,340.70 to be installed in the Rancho Jardines neighborhood and reallocation of \$18,340.70 from Street Maintenance to Traffic Calming within Street Maintenance line items.

H. Consideration and possible approval of a contract in the amount not to exceed \$20,000 with AMEC Earth and Environmental to complete Phase 1 of the GIS 5-year Strategic Plan.

I. Consideration and possible approval of non-profit special events sponsorships.

J. Consideration and possible approval of an indefinite continuance regarding a contract with Lance Decker to facilitate the Senior Advisory Committee.

K. Consideration and possible approval of the acceptance of the right-of-way entry from Maricopa County on the Queen Creek Landfill site in the amount of ten dollars (\$10).

L. Consideration and possible approval of an amended Intergovernmental Agreement (IGA) with Maricopa county Library District.

M. Consideration and possible approval of the purchase of two (2) portable variable message sign units in the amount not to exceed \$54,341.87 and reallocation of \$54,341.87 from Land to Major Equipment within Drainage & Transportation line items.

N. Consideration and possible approval of a design contract in the amount of \$1,510,747 with Kimley-Horn & Associates, Inc., for the design of Rittenhouse Road and sewer lines west of the Loop Road to 188<sup>th</sup> Street.

\*O. Consideration and possible approval of a contract in the amount of \$60,000 with G & G Construction for the resurfacing of the parking lot and installation of a sidewalk at the Queen Creek Youth Center.

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Council requested Item I removed from the Consent Calendar.

**Motion:** Coletto-Cohen

**Second:** Barney

To approve the remainder of the Consent Calendar as presented.

**Vote:** Unanimous

**Item I:** Council requested clarification on whether the \$5,000 donation to the Boys & Girls Club was in-kind or cash. Parks & Recreation Director Gomez stated it was a combination of in-kind and cash.

**Motion:** Valenzuela

**Second:** Wootten

To approve Item I as presented.

**Vote:** Unanimous

**PUBLIC HEARINGS AND FINAL ACTION:** If you wish to speak to the Council on an item listed as a Public Hearing or 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.

**7. Public Hearing, discussion and possible action on TA06-130** “Text Amendment for Wall/Fence Requirements” a request submitted by Mario Mangiamele of iPlan Consulting for a text amendment to the Wall/Fence requirements of the Town’s zoning Ordinance and Subdivision Ordinance. *(A continuance to April 4, 2007 is requested)*

Planning Manager Brittingham explained the Public Hearing advertisement requirements and gave a brief overview of the current fencing standards. Mr. Brittingham stated that the applicant is requesting to amend the fencing standards created by a Council appointed committee with residents and members of the development community and approved by ordinance in 1996. Mr. Brittingham went on to say that the standards adopted established unique qualities for the development of Queen Creek. He briefly discussed the different types of fencing: view/open, partial view and solid.

Planner McCauley reviewed the text amendment request to the Zoning and Subdivision Ordinances and staff’s recommendations for supporting/partially supporting the following requests: a) modification to terms & definitions to clarify regulation; b) partial view fencing at property lines adjacent to streets, open space and adjoining lots for lots R1-35 and larger (applicant requesting solid fencing and on lots R1-43 and larger); c) partial view fencing adjacent to streets and open space on R1-18 and R1-15 lots (applicant requesting solid fencing on R1-35, R1-18 and R1-15 lots); and partial view fencing adjacent to streets and open space on R1-12 and smaller lots (applicant requesting partial view fencing along open spaces). Staff doesn’t support removing the fence standards from the Subdivision Ordinance or the incorporation of Rules of Transition as requested by the applicant. Mr. McCauley reviewed the Planning and Zoning Commission’s recommendation for denial and again stated that staff recommends approval with the revisions discussed and in the staff report.

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Council asked the following: a) whether the proposed text amendment would require solid fencing or if it would be optional – response was optional; b) pool barrier fence requirements and the impact on smaller lots if required to install “double fencing” – response was partial view (4’ solid/2’ open) complies with the pool fence requirements; c) if noise levels were higher with partial view fence and whether a 6’ solid fence reduces noise – response was there are no statistics but perception may be yes; d) higher security provided by solid fencing – response was that studies show a 6’ fence is easily maneuvered over regardless of material and visual vs. hidden activity is considered.

(Vice Mayor Valenzuela left the meeting at this point)

Mario Mangiamele, of iPlan, the applicant, gave a presentation supporting his request for the text amendment. He said he agreed with deleting the request to remove the fencing standards from the Subdivision Ordinance and stated that the proposed text amendment would allow a choice of fence style on arterial/collector streets instead of requiring the partial view (4/2) fence. He added that the text amendments as requested would maintain and promote a safe and attractive community.

Leland Vance, also the applicant, stated that the text amendment was submitted because of residents concerns of lack of privacy, noise, traffic and possible exposure to dangers. He said he disagreed with statements that partial view fence provides visual safety and believes that HOA’s should have control of the fence issue.

The Public Hearing was opened.

Kay Gerken- submitted written comment in favor.  
Angie Wagner – submitted written comment in favor.  
Valerie Sparks – submitted written comment in favor.  
Larry Gordon – submitted written comment in favor.  
DeAnn Flygare – submitted written comment in favor.  
Gary Billingsley – submitted written comment in favor.  
Ben Allen – submitted written comment in favor.  
Emily Burton – submitted written comment in favor.  
Michael Pruitt – submitted written comment in favor.  
Scott Potter – submitted written comment in favor.  
Heidi Chapman – submitted written comment in favor.  
Kenna Reay – submitted written comment in favor.  
Lucy Carlson – submitted written comment in favor.  
Mark Talbot – submitted written comment in favor.  
Damon Roberts – submitted written comment in favor.  
Matt Deaton – submitted written comment in favor.  
Carrie Stradling – submitted written comment in favor.  
Aaron Stradling – submitted written comment in favor.  
Shirley Penrod – submitted written comment in favor.  
Robert Penrod – submitted written comment in favor.  
Travis Tuttle – submitted written comment in favor.  
Steven Carlson – submitted written comment in favor.  
Vic Chapman – submitted written comment in favor.

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Larry Callaway – submitted written comment in favor.  
Jacque Callaway – submitted written comment in favor.  
Deborah Belnap – submitted written comment in favor.  
Margaret Treseder – submitted written comment in favor.  
Richard Michael Treseder – submitted written comment in favor.

Aaron Bachler – spoke in opposition.  
Silvia Centoz – spoke in opposition.  
Wes Moore – support.  
Mike Moore – spoke in favor.  
Vicki Talbot – spoke in favor.  
Jodie Beals – spoke in favor.  
Angela Roberts – spoke in favor.  
Clay Wagner – spoke in favor.  
Roseann Sweet – spoke in opposition.  
Jayne Vance – spoke in favor.  
Lucy Kartchner – spoke in favor.  
Jill Allen – spoke in favor.  
Sylvia Barrett – spoke in opposition.  
Kathy Moyers – spoke in favor.  
Katie Deaton – spoke in favor.  
Stephanie Skousen – spoke in favor.  
David Millett – spoke in favor.  
Janet Gordon – spoke in favor.  
Keith Perkins – spoke in favor.  
Mark Beals – spoke in favor.  
David Schaefer – spoke in favor.  
Jay Ray – spoke in favor.

The Public Hearing was closed.

**Motion:** Coletto-Cohen

**Second:** Barney

To continue to the April 4, 2007 Council Meeting.

**Vote:** 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.

**Motion:** Sanders

**Second:** Coletto-Cohen

To suspend the rules and discuss Item 9 before Item 8.

**Vote:** Unanimous

