



Minutes
Regular Session
Queen Creek Town Council
Community Chambers, 20727 E. Civic Parkway
October 18, 2017
5:30 PM

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

Robin Benning	Council Member	Present
Jake Hoffman	Council Member	Present
Dawn Oliphant	Council Member	Present
Emilena Turley	Council Member	Present
Julia Wheatley	Council Member	Present
Jeff Brown	Vice Mayor	Present
Gail Barney	Mayor	Present

3. **Motion to Adjourn into Executive Session (to be held in the Council Conference Room in the Town Hall Building) for the following purposes):**

RESULT: **Approved unanimously**
MOVER: Council Member Benning
SECONDER: Council Member Wheatley
AYES: Barney, Wheatley, Benning, Brown, Oliphant, Turley, Hoffman

- A. Discussion and consultation with the Town's attorney for legal advice and with the Town's representatives to consider the Town's position and instruct its representatives regarding the sale or lease of Town-owned real property: 1) parkland and 2) northwest corner of Maya & Ellsworth Roads. A.R.S. 38-431.03(A)(7)
- B. Discussion and consultation with the Town's attorney and with the Town's representatives regarding annexations and providing utility services. A.R.S. 38-431.03(A)(3) & (4)
- C. Discussion and consultation with the Town's attorney and with the Town's representatives regarding the incorporation petition and map filed on 10/6/17. A.R.S. 38-431.03(A)(3) & (4)

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- D. Discussion and consultation with the Town's attorney for legal advice and with the Town's attorney and representatives to consider the Town's position and instruct its attorneys regarding pending litigation: Savage & Noschese vs. Town of Queen Creek. A.R.S. 38-431.03(A)(3) & (4)

The Regular Session reconvened at 6:50 p.m.

- 4. **Consent Agenda:** Matters listed under the Consent Agenda are considered to be routine and will be enacted by one motion and one vote. Members of the Council and or staff may comment on any item without removing it from the Consent Agenda or remove any item for separate discussion and consideration. (Items that the Council wishes to discuss may be considered Item #12).

Council requested Items K & L pulled for separate votes. Mayor Barney declared a conflict of interest on Item L.

MOTION: To approve the Consent Agenda Items A-J:
RESULT: Approved unanimously
MOVER: Council Member Hoffman
SECONDER: Council Member Benning
AYES: Barney, Wheatley, Benning, Brown, Oliphant, Turley, Hoffman

MOTION: To approve Consent Agenda Item K:
RESULT: Approved 5-2
MOVER: Council Member Benning
SECONDER: Council Member Oliphant
AYES: Barney, Wheatley, Benning, Brown, Oliphant
NAYES: Hoffman, Turley

MOTION: To approve Consent Agenda Item L:
RESULT: Approved 6-0
MOVER: Council Member Wheatley
SECONDER: Council Member Hoffman
AYES: Wheatley, Benning, Brown, Oliphant, Turley, Hoffman
ABSTAIN: Barney

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- A. Consideration and possible approval of the September 6, 2017 Regular Session Minutes.
- B. Consideration and possible approval of Expenditures Over \$25,000. (Budgeted in FY17/18)
 - 1. Core and Main - water distribution parts: \$250,000
 - 2. Longmire Well Service - water well patching/repair service: \$65,000
- C. Consideration and possible approval of the appointment of Nichelle Williams to the Board of Adjustment.
- D. Consideration and possible approval of the Application for Acquisition of Control submitted by Michael Joseph Basha on behalf of Bashas' #46, 23706 S. Power Rd. (License #09070121)
- E. Consideration and possible approval of Spur Cross Parcels 2 thru 8 Final Plats and Phase 1 & 2 Master Plats, a request by Meridian Estates LLC.
- F. Consideration and possible approval of Amendment #2 to the Intergovernmental Agreement with Maricopa County for additional utility work for the Riggs Road from Power to Hawes Roads project for \$712,200 and necessary budget adjustments. (CIP Project A0520, WA066, WW052)
- G. Consideration and possible approval of a Professional Services Contract with Clear Creek Associates in an amount not to exceed \$301,944 for the construction management and evaluation services for the replacements of Hastings Well, Church Farms West Well and Villages Well; and corresponding budget adjustment from Contingency.
- H. Consideration and possible approval of an easement to be granted to Salt River Project for an overhead electric power line in the right-of-way along Ryan Road alignment west of Signal Butte Road alignment and along Signal Butte Road alignment south of Ryan Road alignment for the consideration of \$592,214 to be paid to the Town of Queen Creek.
- I. Consideration and possible approval of a Construction Manager at Risk (CMAR) Pre-construction Services Contract with Hunter Contracting Company, Inc. in an amount not to exceed \$58,438 for Ellsworth Road and Queen Creek Road Intersection Improvements Phase 2, CIP I0010. (Budgeted in FY 17/18).
- J. Consideration and possible approval of a Construction Services Contract with Sunland Asphalt in an amount not to exceed \$3,244,424 for the construction of the Crismon Road, 220th Street and Ryan Road Improvements (TOQC Project No. A0702, A1702 and A2001) and necessary budget adjustments.
- K. Consideration and possible approval of a two year Professional Services and License Agreement with Gangplank Collective LLC.

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- L. Consideration and possible approval of an amendment to the Corporation Yard (Field Operations Facility) Lease Agreement between the Town of Queen Creek and the Barney Family in an amount not to exceed \$63,000.

- 5. **Items for Discussion:** These items are for Council discussion only and no action will be taken. In general, no public comment will be taken. Depending on time remaining, the Council may carryover any agenda item listed prior to the scheduled recess to the reconvened meeting that begins at 7:00p.m.

None.

- 6. **Recess** – 6:55 – 7:00 p.m.
- 7. **Pledge of Allegiance:** Led by Council Member Oliphant
- 8. **Invocation/Moment of Silence:** A moment of silence was held in observance of those who perished or are missing in the Northern California fires and the first responders.
- 9. **Ceremonial Matters (Presentations, Proclamations, Awards, Guest Introductions and Announcements):**

- A. Proclamation - Red Ribbon Week October 23-31: read by Vice Mayor Brown
- B. Proclamation - Crime Prevention Month: read by Mayor Barney
- C. Volunteer Recognition - Life Link Church

Mayor Barney presented Jim Poole, representing Life Link Church, with a certificate of appreciation for their volunteer project to paint the baseball dugouts, wrought iron fencing, planting and fence repairs at Founders' Park. The group of volunteers contributed 160 hours of service.

- D. Public Works Project of the Year Award from American Public Works Association

Public Works Director Troy White provided information on the Town's Public Works Project of the Year award for the Ellsworth Road – Ryan to Germann road project. Mr. White recognized those on the Public Works Team and presented the award to them.

- 10. **Public Comments:** 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. The Town Council may not discuss or take action on any issue raised during public comment until a later meeting. There is a time limit of three (3) minutes for each speaker.

None.

11. 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; CAG. 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.

See attached report.

B. Committee and outside agency reports (only as scheduled) – *None.*

12. Carryover Consent Agenda Items: Any Consent Agenda item that was pulled for a separate discussion and vote will be heard at this time.

None.

13. Public Hearings Consent Agenda: Prior to consideration of the Public Hearings 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 comment on any item without removing it from the Consent Agenda or remove any item for separate discussion and consideration.

MOTION:	To approve the Public Hearing Consent Agenda:
RESULT:	Approved unanimously
MOVER:	Council Member Turley
SECONDER:	Council Member Benning
AYES:	Barney, Wheatley, Benning, Brown, Oliphant, Turley, Hoffman

A. Public Hearing and possible approval of a Series 10 Beer & Wine Store Liquor License Application (License #10076921) submitted by Quik-Way Retail Associates II, LTD on behalf of Fast Market 8140, located at 21198 E. Ocotillo Road (Cornerstone).

B. Public hearing and possible action for Annexation P16-0034 (Ordinance 645-17) "Queen Creek Assisted Living Facility", a request by Greg Davis, Iplan Consulting for an annexation of approximately 2.7 acres located at the southwest corner of Ocotillo Road and 228th Street.

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- C. Public hearing and possible action on P16-0035, Ordinance 646-17 (P16-0036), P17-0010, "Queen Creek Assisted Living Facility", a request by Greg Davis for a Minor General Plan Amendment from Medium Density Residential to Community Commercial, Rezone from Rural-43 (Rural Zoning District) to C-2/PAD (General Commercial) and a Major Site Plan for the construction of a new 25,246 square foot assisted living facility on a 2.32 acre site at the southwest corner of Ocotillo Road and 228th Street.

- 14. 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.

None.

- 15. 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.

- 16. Items for Discussion:** These items are for Council discussion only and no action will be taken. In general, no public comment will be taken. Any agenda items listed for discussion prior to the scheduled recesses and were postponed will also be discussed at this time.

None.

- 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.

None.

18. Adjournment

The meeting adjourned at 7:18 p.m.

TOWN OF QUEEN CREEK


Gail Barney, Mayor

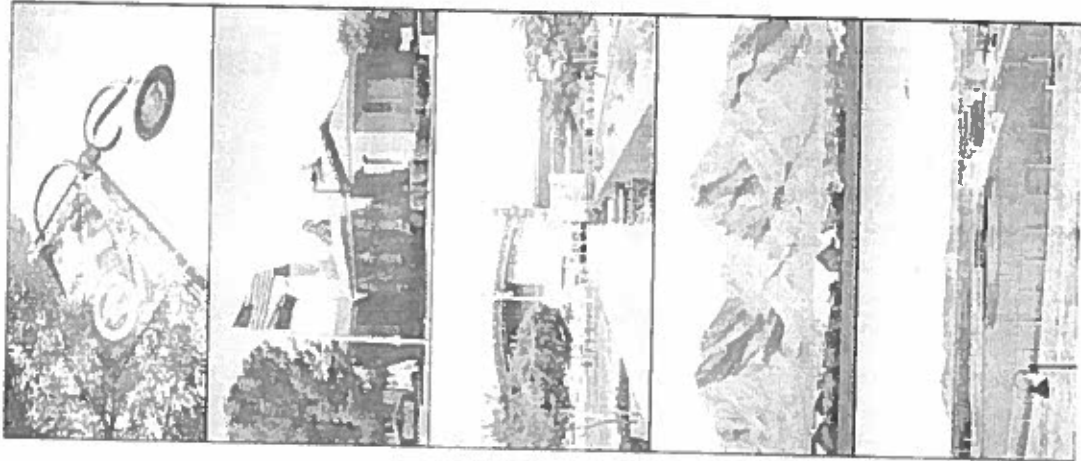
ATTEST:


Jennifer F. Robinson, Town Clerk

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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 October 18, 2017 Regular Session of the Queen Creek Town Council. I further certify that the meeting was duly called and that a quorum was present.

Passed and approved on December 6, 2017



Council Committee Reports (1)

- Pinal RTA Board Meeting- 10/5 (Benning)
- East Valley Partnership Board Meeting- 10/5 (Benning)
- GPEC Annual Event 2017; The Connected Experience- 10/5 (Barney)
- Pan De Vida Annual Cultural Festival- 10/7 (Barney)
- Route Fifty- Government Fostering Environment for Success- 10/11 (Barney)
- MAG Economic Development Meeting- 10/11 (Barney)
- Chandler-Gilbert Community College 25th Anniversary Celebration- 10/12 (Barney, Benning)
- Central Christian Church Groundbreaking- 10/15 (Barney, Hoffman, Oliphant, Wheatley)
- MAG Regional Council Executive Committee Meeting- 10/16 (Barney)
- Phoenix-Mesa Gateway Board Meeting- 10/17 (Barney)
- SR24 Stakeholders Meeting- 10/17 (Barney)