



Minutes
Regular Session
Queen Creek Town Council
Community Chambers, 20727 E. Civic Parkway
November 1, 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 – arrived at 6:30 p.m.
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 Community Chambers Building) for the following purposes:

A. 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)

B. 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 representative regarding a possible intergovernmental agreement with SRP for small cell technology. 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)

D. 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)

E. 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)

MOTION: To adjourn to Executive Session at 5:35p.m.:
RESULT: Approved 6-0
MOVER: Council Member Turley
SECONDER: Council Member Hoffman
AYES: Barney, Wheatley, Benning, Brown, Turley, Hoffman
AWAY: Oliphant

The Regular Session reconvened at 7:00 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 Item F removed for separate vote.

MOTION: To approve Consent Agenda Items A-E & G-I:
RESULT: Approved unanimously
MOVER: Vice Mayor Brown
SECONDER: Council Member Wheatley
AYES: Barney, Wheatley, Benning, Brown, Oliphant, Turley, Hoffman

MOTION: To approve Consent Agenda Item F:
RESULT: Approved unanimously
MOVER: Vice Mayor Brown
SECONDER: Council Member Oliphant
AYES: Barney, Wheatley, Benning, Brown, Oliphant, Turley
NAYES: Hoffman

- A. Consideration and possible approval of Expenditures Over \$25,000. (Budgeted in FY17/18)
1. Roadrunner Paving - asphalt paving: \$190,513
 2. Brown Wholesale Electric Company - traffic signal equipment: \$75,262
- B. Consideration and possible approval of a Construction Services Contract with Tetra Tech Utility in an amount not to exceed \$152,818 for the Ellsworth Road and Rittenhouse Road Waterline; and necessary budget adjustments (WA104).

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- C. Consideration and possible approval of a Cooperative Purchase Agreement with Paymentus Corporation for utility payment processing services estimated at \$380,000 annually.
- D. Consideration and possible approval of Work Order #10 with AJP Electric in an amount not to exceed \$135,700 for installation of electrical conductor and electrical service panels at the Field Operations Facility (Project # MF005).
- E. Consideration and possible approval of a job order contract with SDB Contracting Services in an amount not to exceed \$52,022 for the demolition of the residential structure and barn located at 22220 S. Ellsworth Road, Queen Creek AZ. (Parcel Numbers 304-67-009 L & F)
- F. Consideration and possible approval of an Intergovernmental Agreement with the Queen Creek Unified School District for the School Resource Officer (SRO).
- G. Consideration and possible approval of a 60-day notice requirement for possible small cell technology fees and to set January 2018 public hearing.
- H. Consideration and possible approval of Amendment No. 2 to the Agreement between the Town of Queen Creek and Haydon Building Corp. for Construction Manager At Risk Services for the Mansel Carter Oasis Park (previously known as West Park) Project for Guaranteed Maximum Price (GMP) #2 in the amount of \$13,482,744 for the earthwork, park construction, utilities, and roadway work.
- I. Consideration and possible approval of a Permanent Extension of Premises/Patio Application submitted by Stephen Serrano on behalf of Serrano's Mexican Food, 22701 S. Ellsworth Road. The restaurant has a current liquor license #12075857.

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** - *none*
7. **Pledge of Allegiance:** Led by Council Member Hoffman
8. **Invocation/Moment of Silence:** A moment of silence was held in remembrance of those who are affected by diabetes.
9. **Ceremonial Matters (Presentations, Proclamations, Awards, Guest Introductions and Announcements):**
- A. Proclamation - Hidden Heroes: read by Council Member Oliphant.

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B. Proclamation - Small Business Saturday November 25, 2017: read by Vice Mayor Brown.

C. Proclamation - Diabetes Awareness Month November 2017: Mayor Barney by Mayor Barney.

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.

None.

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.

- A. Discussion and possible action on Resolution 1171-17 stating that the Town does not oppose the incorporation of the City of San Tan Valley subject to compliance with statutory requirements, Arizona law and the Queen Creek General Plan.

Planning Administrator Brett Burningham discussed the map that was submitted by the San Tan Valley Incorporation committee and showed the overlap of approximately 6 sq. miles within the Queen Creek Planning Area. He also stated that there are two annexations currently in process that are for areas included in the incorporation map.

Town Attorney Scott Holcomb reviewed the relevant state statutes and laws regarding incorporation regarding uninhabited rural/vacant land; definition of community as stated in the statutes; and inability of non-resident property owners to vote on incorporation. Mr. Holcomb compared incorporation signature requirements to annexation requirements. He also discussed population requirements for incorporation; planned area developments under declarant control; and the map crossing over into Queen Creek's General Plan. Mr. Holcomb stated that Queen Creek has a direct stake in having the incorporation laws enforced and explained the proposed resolution states that Queen Creek does not oppose the incorporation as long as it is done in compliance with all statutes and Arizona laws.

Council commented on supporting the incorporation of San Tan Valley.

MOTION: To approve Resolution 1171-17 stating that the Town does not oppose the incorporation of the San Tan Valley subject to compliance with statutory requirements, Arizona law and the Queen Creek General Plan:

RESULT: Approved unanimously

MOVER: Vice Mayor Brown

SECONDER: Council Member Wheatley

AYES: Barney, Wheatley, Benning, Brown, Oliphant, Turley, Hoffman

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.

A. Discussion regarding the 2018 State of the Town.

PIO Constance Halonen-Wilson discussed various format options for the 2018 State of the Town Address and dates of other events occurring in the same timeframe.

Council asked if the meeting would be dedicated to the State of the Town. Town Manager John Kross responded that case schedules can be accommodated if Council chooses to limit the meeting to the State of the Town.

Council discussed adding more photos/video of the community; include Town committee members and making the presentation more interactive. Ms. Halonen-Wilson stated costs for a full video (depending on overall format) would be approximately \$5000 and that a longer video would be outsourced and a shorter video produced in-house.

Council suggested that the State of the Town Address be produced in-house for the March 7, 2018 Council Meeting.

B. Discussion regarding the 2017 Water Master Plan Update.

Utilities Director Paul Gardner discussed the goals included in Water Master Plan Update addressing the water service area; population; water sources; infrastructure construction (timeline and costs). Discussion included aging water wells and future treatment plant needs and costs of the infrastructure improvements that will be funded by capacity and service fees. The final plan is scheduled for adoption on December 6, 2017.

C. Discussion regarding 2018 Excise Tax Bond to finance transportation, public safety, and fire capital improvements.

Finance Director Scott McCarty reviewed the bond issue calendar and the recommended 2018 excise tax bond issue of \$82.3M (estimated) for 27 transportation projects, two fire stations and public safety building funding. Mr. McCarty explained that excise tax revenues are pledged to repay the bonds as well as impact fees and the transportation placeholder included in the budget. He also reviewed the use of interfund loans as temporary financing for projects that would be repaid through the bonds. Mr. McCarty discussed the term of the bond issue that includes early payoff provisions and a debt management plan.

Council discussed the value to the community by building roads now without increasing the sales tax rate or implementing a new property tax, but with on-going sales tax revenues at current rate. Council also discussed an aggressive pay-off approach.

D. Discussion on traffic enforcement options.

Vice Mayor Brown stated that he and Council Member Wheatley requested this item placed on the agenda for discussion based on feedback from residents.

MCSO Capt. Dave Munley gave an introduction of Annalyn Brown, the new crime analyst for District 6.

Capt. Munley presented an overview and update on the Traffic Sergeant Initiative pilot program for the period July – December 2017. He stated a final report would be completed when the pilot program ended.

The traffic initiative focused on a triangle of Ocotillo, Ellsworth Loop and Rittenhouse Roads. Capt. Munley provided statistics on the traffic stops, total calls for service, citation breakdown and traffic collisions in the traffic initiative area. He also provided options with costs to consider as well as discussed staffing considerations in regard to population growth, increased calls for service, commuter traffic and traffic safety:

- No changes to existing staffing or contract (\$6,496,500)
- 1 Sergeant – 24% dedicated traffic enforcement (\$6,752,755)
- 2 Deputies & 1 Sergeant – 47% dedicated traffic enforcement, various schedules (\$7,207,174)
- 1 Lieutenant, 1 Sergeant, 5 Deputies, 80% dedicated traffic enforcement, various schedules (\$8,159,942)

Council asked if DUI's were significant. Capt. Munley responded that he was expecting approximately 50 DUI's for the year.

Discussion was about an implementation timeline for any additional staff (Board of Supervisor approval, academy, training, etc.); consideration to increased calls; activities included in directed patrol; and further evaluation on the Ironwood Crossing annexation impact. Town Manager John Kross said a presentation on law enforcement strategies would be scheduled to further address these issues.

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.

The Council reconvened to Executive Session at 9:22 p.m.

18. Adjournment

The Regular Session reconvened and adjourned at 10:05 p.m.

TOWN OF QUEEN CREEK


Gail Barney, Mayor

ATTEST:


Jennifer F. Robinson, Town Clerk

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 November 1, 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 January 17, 2018

Council Committee Reports (1)

- EVCCA Mayor's Round Table Meeting- 10/20 (Barney)
- Trunk or Treat- 10/21 (Barney, Benning, Oliphant)
- QCUSD Business Partner Breakfast- 10/24 (Oliphant)
- ACT to Save a Life Suicide Prevention Meeting- 10/24 (Benning, Oliphant, Turley)
- QC Fiesta Phase I Groundbreaking Ceremony- 10/25 (Turley, Wheatley)
- MAG Regional Council Meeting- 10/25 (Barney)
- Ted's Shooting Range Groundbreaking Ceremony- 10/26 (Brown, Hoffman, Turley)
- WestJet Relaunch Celebration at PMGA- 10/26 (Barney)
- EVP Aviation and Aerospace Committee Meeting- 10/26 (Barney)
- Sauce Ribbon Cutting- 10/27 (Brown, Wheatley)
- The Villages at Canyon State Open House- 10/27 (Oliphant)
- Defense Roundtable Event with Congressman Gosar and Biggs- 10/27 (Barney)
- Judge at the Roots and Boots Rodeo Pageant- 10/28 (Benning)
- Crismon Road Extension Groundbreaking Ceremony- 10/31 (Barney, Brown, Hoffman, Oliphant, Turley, Wheatley)

