



**Minutes**  
**Regular Session**  
**Queen Creek Town Council**  
Community Chambers, 20727 E. Civic Parkway  
April 4, 2018  
5:30 PM

1. **Call to Order:** The meeting was called to order at 5:30 p.m.
2. **Roll Call:** (one or more members of the Council may participate by telephone)

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

3. **Pledge of Allegiance:** Led by Vice Mayor Turley
4. **Invocation/Moment of Silence:** A moment of silence was held for first responders and others in uniform.
5. **Motion to Adjourn into Executive Session (to be held in the Ironwood Conference Room in the Community Chambers Building) for the following purposes):**

|                  |   |
|------------------|---|
| <b>MOTION:</b>   | <b>To adjourn to Executive Session at 5:31 p.m:</b>         |
| <b>RESULT:</b>   | <b>Approved unanimously</b>                                 |
| <b>MOVER:</b>    | Council Member Wheatley                                     |
| <b>SECONDER:</b> | Council Member Hoffman                                      |
| <b>AYES:</b>     | 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 possible intergovernmental agreements with the City of Mesa relating to north-south traffic solutions. 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 regarding the Arizona Corporation Commission actions related to Johnson Utilities. A.R.S. 38-431.03(A)(3) & (4)

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- C. 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 possible intergovernmental agreements with Maricopa County and Pinal County for library services to Pinal County residents. 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 acquisition of real property related to Mansel Carter Oasis Park. A.R.S. 38-431.03(A)(4) & (7)
- E. Discussion and consultation with the Town's attorney for legal advice and with the Town's representatives regarding a possible purchase agreement with Union Pacific Railroad (UPRR) and environmental study results. A.R.S. 38-431.03(A)(4) & (7)
- F. 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)
- G. Discussion and consideration of the Town Manager assignments. A.R.S. 38-431.03(A)(1)
- H. Discussion and consultation with the Town's attorney for legal advice and with the Town's attorneys to consider the Town's position and instruct its attorneys regarding pending lawsuit - VIP Homes vs. Town of Queen Creek. A.R.S. 38-431.03(A)(3) & (4)

The Regular Session reconvened at 6:59 p.m.

6. **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 under #11).

Consent Agenda #B was pulled for a separate vote.

|                  |   |
|------------------|---|
| <b>MOTION:</b>   | <b>To approve the Consent Agenda A and C-J:</b>             |
| <b>RESULT:</b>   | <b>Approved unanimously</b>                                 |
| <b>MOVER:</b>    | Council Member Brown  |
| <b>SECONDER:</b> | Council Member Benning                                      |
| <b>AYES:</b>     | Barney, Wheatley, Benning, Brown, Oliphant, Turley, Hoffman |

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

- A. Consideration and Possible Approval of Expenditures Over \$25,000. (FY 18 Budgeted Item)
1. Econolite - traffic control cabinet: \$61,837 (Public Works)
  2. CCS Inc.- HPEC audio system repairs: \$70,000 (Economic Development)
  3. CliftonLarsonAllen - audit services: \$44,250 (Finance)
  4. Vertech - well equipment: \$87,400 (Utilities)
- B. Consideration and possible approval of the second amendment to an intergovernmental agreement with the Maricopa County Library District in the amount of \$19,577 for library services for Town residents outside of Maricopa County and necessary budget adjustments.
- C. Consideration and possible approval of the purchase of variable message signs from Auto Safety House through a State of Arizona cooperative contract (ADSPO17-170070) in an amount not to exceed \$227,392 and the necessary budget adjustments.
- D. Consideration and possible approval of Work Order #15 with AJP Electric, Inc., in an amount not to exceed \$48,840 for construction of new traffic signals at the intersection of Queen Creek and Signal Butte Roads (CIP project A1002) including necessary budget adjustments.
- E. Consideration and possible approval of a Construction Services Contract with DCS Contracting, in an amount not to exceed \$11,204,706 for the construction of the Riggs Road Improvement between Crismon Road and Meridian Road, (CIP A0510, WA156, WW060) and the necessary budget adjustments.
- F. Consideration and possible approval of an Intergovernmental Agreement with City of Mesa for the construction of a natural gas line along Riggs Road between Rittenhouse Road and Meridian Road with no monetary contribution from the Town Queen Creek.
- G. Consideration and possible approval of a power distribution easement to be granted to Salt River Project at Riggs Road and Crismon Road for the Riggs Road from Ellsworth to Meridian Project (A0510).

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- H. Consideration and possible approval of Resolution 1214-18 designating the election date(s), purpose of election, deadline for voter registration and designating the last date for candidates to file required nomination papers for the August 28, 2018 Primary and November 6, 2018 General Elections.
- I. Consideration and possible approval of the appointment of Beth Riley to the Pinal Regional Transportation Authority Citizen Transportation Advisory Committee.
- J. Consideration and possible approval to authorize the Town Manager and Town Attorney to file a Motion to Intervene with the Arizona Corporation Commission on behalf of the Town of Queen Creek in regard to Case Number WS-02987A-18-0050.

**7. 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 discussion agenda item to #15.

- A. Discussion on the FY 18/19 Budget relating to the primary property tax for public safety.

Finance Director Scott McCarty discussed the purpose of the Town's primary property in funding fire and public safety services. He reviewed the five-year EMS fund that includes fire and sheriff's expenses of unfunded pension liabilities; new northeast station/equipment & staffing and increased MCSO staffing & equipment. Mr. McCarty also discussed the increased revenues that offset some expenses. Those revenues include the MCSO pension reserve, Water & Wastewater revenues and property taxes that are dedicated to public safety (EMS).

Mr. McCarty discussed the recommended FY18/19 EMS budget of \$18.1M, with \$11.7M coming from the dedicated revenue sources and \$6.4M from the General Fund.

Mr. McCarty provided background on the Town's 2007 voter approved dedicated primary property tax, which was approved at a maximum rate of \$1.95 per \$100AV. He explained that the tax wasn't intended to fully fund public safety but to provide a dedicated source of revenue for the program. He explained that with a fixed levy rate, the revenues will change as assessed values change.

Mr. McCarty presented three options for Council consideration regarding the FY18/19 property tax levy:

Option A: Generate same revenue as FY17/18 by assessing a levy rate of \$1.73, providing 34% funding for EMS.

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Option B: Generate same revenue as FY17/18 with adding new construction to existing properties by assessing a levy rate of \$1.85, providing 37% funding for EMS.

Option C: Generate maximum revenue by assessing \$1.95 levy rate on all properties, providing 39% funding for EMS.

Mr. McCarty explained the process for lowering the levy rate and then increasing it again in the future. He also stated that the maximum levy rate is \$1.95 as approved by the voters and to increase the rate above the \$1.95 would require voter approval.

Mr. McCarty reviewed recent Council actions that lowered property taxes for 8000 parcel owners by using CAAGR D credits (lowering tax bill regarding water).

Mr. McCarty requested Council feedback in order to finalize the FY18/19 budget.

Clarification was asked for in regard to the proposed Traffic Unit (MCSO). Town Manager John Kross responded that it is a placeholder and the recommendation is for two additional Deputies.

Council discussed the benefits of Option C which would allow increased public safety services and personnel and a lower General Fund transfer. There was also discussion on the property tax being a dedicated source of funding for public safety that can't be used for any other program. Discussion on Option A was in regard to reducing taxes and paying for public safety with cash (General Fund).

Council discussed prioritizing the community's wants and needs, including public safety, parks, roads and special events and overall taxes paid by residents.

- B. Discussion on construction of a right turn lane on northbound Rittenhouse Road to eastbound Ocotillo Road.

Transportation Engineering Manager Mohamed Youssef, presented the results of evaluating the addition of a dedicated right turn lane at northbound Rittenhouse and Ocotillo Road. Mr. Youssef showed the costs associated with an improvement of approximately 400 feet was estimated at \$500,000, which includes right-of-way acquisition costs, relocating of existing landscaping and utilities, new sidewalk and road markings

Mr. Youssef showed that Rittenhouse Road is three lanes north of Ocotillo Road and how a through right lane moves the most amount of traffic through the intersection.

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Council discussed the traffic back-up occurs in the morning with school traffic as a result of only one railroad crossing (on Ocotillo Rd.). Council requested further discussion at a future meeting and possibly include in the Rittenhouse Road project.

**8. Ceremonial Matters (Presentations, Proclamations, Awards, Guest Introductions and Announcements):**

- A. Presentation of the Solid Waste Association of North America (SWANA), Arizona Chapter's Municipality of the Year Award to the Town of Queen Creek, Environmental and Outreach staff in recognition of the "Do More Blue/Shut Your Lid" diversion and outreach campaign.

Ramona Simpson, presented information on SWANA and the Do More Blue/Shut Your Lid" program.

- 9. 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 Community 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.*

**10. 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 slide.*

- B. Committee and outside agency reports (only as scheduled)

- A. Economic Development Commission - March 28, 2018

Economic Development Director Doreen Cott reported on the presentation and discussion on roadway improvements and the upcoming General Plan Election on May 15, 2018.

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

*None.*

- 12. 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.*

- 13. 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.

A. Public Hearing on the Alternative Expenditure Limitation/Home Rule Option.

Finance Director Scott McCarty reviewed what an alternative expenditure limitation/home rule option is and the process for putting the issue on the August 28, 2018 ballot. Mr. McCarty explained the two options for home rule – renewed every four years by the voters or a permanent base adjustment approved by voters. He also explained that home rule allows the expenditure of revenues to provide the services required and asked for by the community. Mr. McCarty stated that the second public hearing is scheduled for April 18, 2018 and if approved by 2/3 of the Council, the question will be placed on the ballot.

PIO Constance Wilson presented the public outreach program.

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

- 14. 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.*

- 15. 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 under #7 and were postponed may also be discussed at this time.

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*None.*

- 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.

The Executive Session reconvened at 8:25 p.m.

**17. Adjournment**

The Regular Session reconvened and adjourned at 9:25 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 April 4, 2018 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 June 6, 2018





## Council Committee Reports (1)

- 3/21 – EVP Transportation Committee Meeting (Benning)
- 3/23 – Spring Into QC (Barney, Benning, Brown, Turley, Wheatley)
- 3/27 – Mayor Tibshraeny’s Chandler Inside and Out Show (Barney)
- 3/27 – MAG Executive Committee Meeting Call (Barney)
- 3/27 – Speaking with QC Boy Scouts (Barney)
- 3/26 & 3/28 – Meetings with Encanterra Residents (Barney)
- 3/28 – Economic Development Commission (Oliphant, Turley)
- 3/28 – MAG Regional Council (Barney)
- 3/28 – Agenda Review with Town Manager John Kross (Hoffman, Turley)
- 3/28 – CAG Regional Council Meeting (Benning)



## Council Committee Reports (2)

- 3/29 – GPEC Mayors & Supervisors Meeting (Turley)
- 3/29 – QCUSD Eastmark School Groundbreaking (Turley, Wheatley)
- 3/31 – Old Ellsworth Brewing Company Ribbon Cutting (Oliphant)
- 4/2 – Text to 9-1-1 Major Announcement (Barney)
- 4/3 – MAG Economic Development (Barney)
- 4/3 – Meeting with Mayor Giles (Barney)