



Minutes

Special Session

Queen Creek Town Council

Community Chambers, 20727 E. Civic Parkway

May 7, 2018

4:30 PM

1. **Call to Order:** The meeting was called to order at 4:30 p.m.

2. **Roll Call:**

Council Members present: Council Member Brown

Council Members present via telephone: Council Member Benning; Council Member Hoffman; Council Member Oliphant; Council Member Wheatley and Mayor Barney.

Vice Mayor Turley was absent.

3. **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.

1. Consideration and possible approval of the Settlement Agreement and Release regarding United States District Court, District of Arizona, Case No. 2:15-CV-00964 (VIP Homes vs. Town of Queen Creek).

Attorney Sam Coffman, representing the Town, provided a brief review of the litigation timeline that began in May 2015 against the Town and individuals John Kross, Gail Barney and Wayne Balmer. The Town was dismissed as a defendant in 2017 and the individuals were dismissed in March 2018, and at same time confirmed the Town was dismissed. The Town refiled for fee award. Mr. Coffman explained the settlement Agreement and Release stipulates that that VIP will not appeal the case any further and the Town will not seek award of fees and the case will be closed.

Motion: To approve of the Settlement Agreement and Release regarding United States District Court, District of Arizona, Case No. 2:15-CV-00964 (VIP Homes vs. Town of Queen Creek)

Mover: Council Member Brown

Seconder: Council Member Wheatley

Ayes: Benning, Brown, Oliphant, Wheatley, Barney

Nays: none

Abstain: Council Member Hoffman

**Minutes of the Special Session
Queen Creek Town Council
April 12, 2018
Page 2**

4. Adjournment

The meeting was adjourned at 4:40 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 May 7, 2018 Special 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