



**Minutes**  
**Regular and Special Session**  
**Queen Creek Town Council**  
Community Chambers, 20727 E. Civic Parkway  
June 6, 2018  
5:30 PM

1. **Call to Order:** The meeting was called to order at 5:30 pm.
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 – arrived at 6:06pm        |
| Dawn Oliphant  | Council Member | Present                            |
| Julia Wheatley | Council Member | Present                            |
| Emilena Turley | Vice Mayor     | Present                            |
| Gail Barney    | Mayor          | Present – telephonically at 6:01pm |

3. **Pledge of Allegiance:** Led by Council Member Brown
4. **Invocation/Moment of Silence:** A moment of silence was held.
5. **Motion to Adjourn into Executive Session (to be held in the Council Conference Room in the Town Hall 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 representatives regarding possible intergovernmental agreement with Pinal County for Germann Road from Ironwood to Meridian Roads. A.R.S. 38-431.03(A)(3) & (4)
  - B. Discussion and consultation with the Town attorney for legal advice and with the Town attorney to consider the Town's position and instruct its attorney regarding a Notice of Claim filed by Riggs Ellsworth 40, LLC and JMN Riggs 40, LLC. A.R.S. 38-431.03(A)(3) & (4)
  - C. 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)
  - D. Discussion and consultation with the Town attorney and with the Town's representatives regarding annexations and providing utility services. A.R.S. 38-431.03(A)(3) & (4)

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- E. Discussion and consultation with the Town attorney for legal advice and with the Town attorney to consider the Town's position and instruct its attorney regarding a pending lawsuit - Johnson Utilities vs. Town of Queen Creek. A.R.S. 38-431.03(A)(3) & (4)
- F. Discussion and consideration of the Town Manager's evaluation. A.R.S. 38-431.03(A)(1)

|                  |  |
|------------------|--|
| <b>MOTION:</b>   | <b>To adjourn to Executive Session at 5:32pm</b> |
| <b>RESULT:</b>   | <b>Approved unanimously (5-0)</b>                |
| <b>MOVER:</b>    | Council Member Wheatley                          |
| <b>SECONDER:</b> | Council Member Brown                             |
| <b>AYES:</b>     | Wheatley, Benning, Brown, Oliphant, Turley       |
| <b>ABSENT:</b>   | Barney, Hoffman                                  |

The Regular Session reconvened at 6:55pm.

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).
- A. Consideration and possible approval of the following minutes: April 4, 2018 Regular Session; April 12, 2018 Special Session and May 7, 2018 Special Session.
  - B. Consideration and Possible Approval of Expenditures Over \$25,000. (FY 18 Budgeted Item)
  - C. Consideration and possible approval of the appointment of Jeremy Benson to the Planning & Zoning Commission with the term ending August 31, 2019.
  - D. Consideration and possible approval of the "Final Plat" for the Pecans Phase 6 - Pecan Lights II, a request by the Pecans of Queen Creek LLC.
  - E. Consideration and possible approval of the annual renewal of the Intergovernmental Agreement with the Town of Gilbert for fire support services.
  - F. Consideration and possible approval of the 2018-2023 Corporate Strategic Plan.
  - G. Consideration and approval of Work Order #1 with Core Construction utilizing Town Contract 2015-090 in an amount not to exceed \$53,393 for the installation of sidelite office windows at the Municipal Services Building, and necessary budget adjustments.
  - H. Consideration and possible approval of a power distribution easement to be granted to Salt River Project at Power Road between Ocotillo Road and Brooks Farm Road for the Power Road between Ocotillo Road and Brooks Farm Road Project (A1403).

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- I. Consideration and possible approval of an agreement with Wright Engineering Corporation in an amount not to exceed \$30,005 for electrical engineering services for the LED retrofit of the exterior lighting at various Town locations. (FY 17/18 budgeted item)
- J. Consideration and possible approval of Resolution 1222-18 and the development agreement between the Town and Fulton Homes to facilitate development of approximately 503 acres generally located at the northeast corner of Queen Creek Road and Signal Butte Road.
- K. Consideration and possible approval of Resolution 1223-18 and the Water Services Agreement between the Town and Fulton Homes Corporation to facilitate development of approximately 503 acres generally located at the northeast corner of Queen Creek Road and Signal Butte.

Item G was pulled for separate vote; Item I was pulled for continuance; and Items J & K were pulled for separate votes due to Mayor Barney's conflict of interest.

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

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

**MOTION:** To continue Consent Agenda Item I to June 20, 2018:  
**RESULT:** Approved unanimously  
**MOVER:** Council Member Brown  
**SECONDER:** Council Member Benning  
**AYES:** Barney, Wheatley, Benning, Brown, Oliphant, Turley, Hoffman

|                  |   |
|------------------|---|
| <b>MOTION:</b>   | To approve Consent Agenda Items J & K:              |
| <b>RESULT:</b>   | Approved 6-0  |
| <b>MOVER:</b>    | Council Member Brown                                |
| <b>SECONDER:</b> | Council Member Oliphant                             |
| <b>AYES:</b>     | Wheatley, Benning, Brown, Oliphant, Turley, Hoffman |
| <b>ABSTAIN:</b>  | Barney  |

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 agenda item listed prior to the scheduled recess to the reconvened meeting that begins at 7:00p.m.

A. Pinal Regional Transportation Authority update by Andy Smith.

Andy Smith presented an overview of the Pinal Regional Transportation Authority and the various agencies/organizations comprise the membership. He reported that the organization current activity is mostly administrative but also working with ADOT on coordination of roadway projects. Mr. Smith also gave an update on the current lawsuit involving the voter approved sales tax (Pinal County).

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

A. Proclamation - Dust Awareness Week – read by Council Member Benning

B. Proclamation - Monsoon Awareness Week – read by Vice Mayor Turley

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.

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*See attached slide.*

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

A. Parks & Recreation Advisory Committee - May 22, 2018 – Council Member Wheatley reported on the Committee’s discussion on facility rental policies, lake policies and names for the eight ramadas at Mansel Carter Oasis Park.

B. Economic Development Commission - May 23, 2018 – Council Member Oliphant reported on the Commission’s meeting where presentations on the Town Center Zoning Update and Parks & Recreation Master Plan Update were given.

**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.

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

A. Public Hearing and possible action on Ordinance 664-18 " Pecan Lakes Planned Area Development (Case P17-0188) and Minor General Plan Amendment (Case P18-0011)", a request from Lonnie McCleve, for a Planned Area Development and a Minor General Plan Amendment for a master planned development which includes commercial, residential, church, and Agritainment uses. This project site is generally located west of the northwest corner of Ellsworth Road and Riggs Road, east of the Horseshoe Park and Equestrian Centre.

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- B. Public Hearing and possible action on Ordinance 665-18, Cases P17-0178, P17-179 and P17-0180 "USA Youth Fitness Center", a request from Michael Naddour, USA Youth Fitness Center, for a Minor General Plan Amendment from Low Density Residential (LDR) to Commercial Services (CS) (P17-0178), a Rezone from R1-43 (Rural Estate District) to C-2 (General Commercial) (P17-0179), and Site Plan approval (P17-0180) for a youth fitness facility on a portion (3.5 acres) of a 6.8 acre (approx.) site located 451 feet (approx.) south of the southwest corner of the E. Cloud Road alignment and Ellsworth Road.
- C. Public Hearing and possible approval of a Series 12 Restaurant Liquor License Application (License #19763) submitted by Evelyn Bernal Mora for Mi Casa Guadalajara, 21824 S. Ellsworth Rd.
- D. Public Hearing and possible approval of a Series 12 Restaurant Liquor License Application (License #20127) submitted by Amy Nations on behalf of 2 Eleven, LLC for TC's Pub & Grub, 7205 S. Power Rd., Suite 110 (Power Marketplace).

**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.

- 1. Public Hearing and possible action on the increase in the primary property tax levy dedicated for public safety purposes, setting the property tax levy assessment date for June 20, 2018, pursuant to Truth in Taxation requirements.

Vice Mayor Turley gave an overview of the process for adopting the annual budget and tax levy.

Finance Director Scott McCarty reviewed the April 4, 2018 Council direction regarding the primary property tax levy for EMS (fire/public safety) dedicated to those services. Mr. McCarty stated that the tax revenue generated at \$1.95 per \$100AV provides 39% of the EMS funding. He also explained that with the increased property values, the tax assessment increases even though the tax rate remains the same. Mr. McCarty reported the property tax levy for FY18/19 at \$357M.

Mr. McCarty also summarized the Tentative Budget as approved at the May 16, 2018 Council meeting.

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

**MOTION:** To approve the property tax levy increase of \$337,395 dedicated for public safety and set the final property tax levy assessment date for June 20, 2018:

**RESULT:** Approved 5-2

**MOVER:** Council Member Brown

**SECONDER:** Council Member Wheatley

**AYES:** Barney, Wheatley, Benning, Brown, Oliphant

**NAYES:** Hoffman, Turley

2. Public Hearing on the Town's FY 2018/19 Final Budget.

(Report provided under #1 above)

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

*The Regular Session was recessed at 7:31pm.*

**The Regular Session will be recessed or adjourned after this Public Hearing and a Special Session to adopt the Final Budget will be held.**

1. **Call to Order of the Special Session:** The meeting was called to order at 7:31 pm.
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 – telephonically |

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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. Discussion and possible action on Resolution 1220-18 adopting the FY 2018/19 Final Town Budget.

Council Member Benning, Budget Committee Chair, thanked Council Members Hoffman and Oliphant for serving on the Budget Committee and also thanked staff. Council Member Benning discussed the budget review process prior to adoption by the Council and commented that additional Council approval of budgeted items including projects and programs is required.

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|------------------|---|
| <b>MOTION:</b>   | <b>To approve Resolution 1220-18 adopting the FY 2018/19 Final Town Budget:</b> |
| <b>RESULT:</b>   | <b>Approved 5-2</b>   |
| <b>MOVER:</b>    | <b>Council Member Benning</b>   |
| <b>SECONDER:</b> | <b>Council Member Oliphant</b>  |
| <b>AYES:</b>     | <b>Barney, Wheatley, Benning, Brown, Oliphant</b>                               |
| <b>NAYES:</b>    | <b>Hoffman, Turley</b>  |

4. **Adjournment of the Special Session:** The Special Meeting was adjourned at 7:36pm.

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 prior to the scheduled recesses and were postponed will also be discussed at this time.

*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.

|                  |   |
|------------------|---|
| <b>MOTION:</b>   | <b>To reconvene to Executive Session at 7:36pm</b>          |
| <b>RESULT:</b>   | <b>Approved unanimously (7-0)</b>                           |
| <b>MOVER:</b>    | Council Member Benning                                      |
| <b>SECONDER:</b> | Council Member Brown  |
| <b>AYES:</b>     | Barney, Wheatley, Benning, Brown, Oliphant, Turley, Hoffman |

**17. Adjournment**

The Regular Session reconvened and adjourned at 8:22pm.

TOWN OF QUEEN CREEK

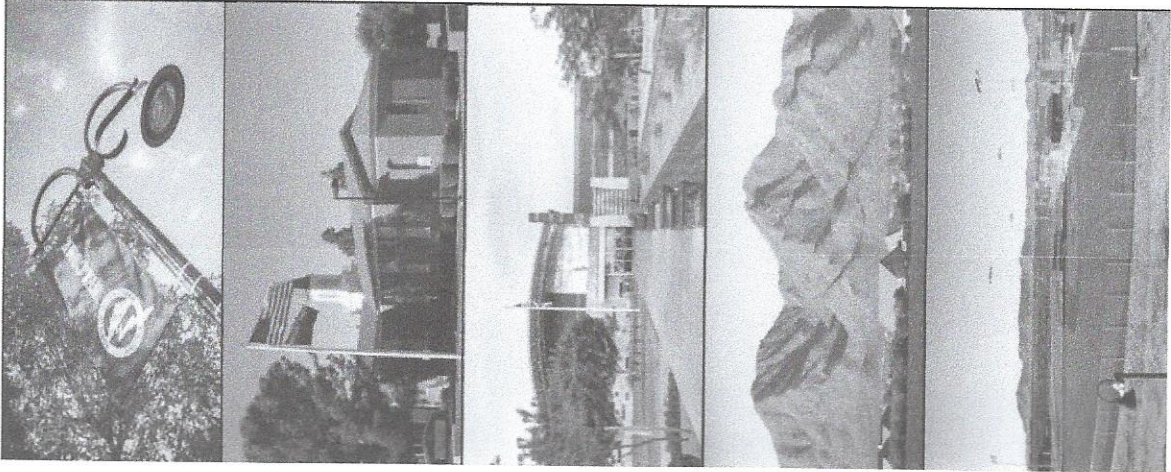
ATTEST:

\_\_\_\_\_  
Gail Barney, Mayor

\_\_\_\_\_  
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 June 6, 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 July 18, 2018



## **Council Committee Reports (1)**

- 5/18 – Meeting with Supervisor Goodman (Brown)
- 5/19 - NOAA Weather Spotter training (Benning)
- 5/21 - MCISO Compliance Presentation (Barney, Brown)
- 5/22 – Power Road Groundbreaking Ceremony (Barney, Oliphant, Turley)
- 5/22 – QCUSD Board Special Session (Turley)
- 5/22 – PRAC Meeting (Benning, Hoffman, Wheatley)
- 5/23 – MAG Regional Council (Barney)
- 5/23 – PRTA Board Meeting (Benning)
- 5/24 - EVP Board of Directors' Meeting (Annual Membership Meeting) (Barney, Benning, Wheatley)
- 5/24 – Quarterly Meeting with Supervisor Goodman (Barney, Brown, Turley)



## Council Committee Reports (2)

- 5/25 – San Tan Times Interview (Brown)
- 5/29 – Gilbert Regional Park Phase 1 Groundbreaking (Brown, Wheatley)
- 5/29 – Encanterra Discussion with Town Manager John Kross (Brown)
- 5/30 – Meeting with Mayor Giles (Barney)
- 5/31 – Town Center Zoning District – Design Work Session (Turley)
- 5/31 – Agenda Review with Assistant Town Manager Bruce Gardner (Turley)
- 5/31 - Congressman Biggs' Salute to Veterans (Turley)
- 6/2 – 6/11 – Church History Tour (Barney)
- 6/5 – Advanced Weather Spotting Class (Benning)