



Minutes
Regular Session
Queen Creek Town Council
Community Chambers, 20727 E. Civic Parkway
May 16, 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 5:45 pm
Dawn Oliphant	Council Member	Present
Julia Wheatley	Council Member	Present
Emilena Turley	Vice Mayor	Present – arrived at 5:34 pm
Gail Barney	Mayor	Present

3. **Pledge of Allegiance:** Led by Mayor Barney
4. **Invocation/Moment of Silence:** A moment of silence was held in observance of National Police Week.
5. **Motion to Adjourn into Executive Session (to be held in the Ironwood Conference Room in the Community Chambers Building) for the following purposes):**
 - A. Discussion and consultation with the Town attorney for legal advice and with the Town's representatives regarding a possible development agreement with Fulton Homes - Barney Farms. 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)
 - C. Discussion and consultation with the Town attorney for legal advice and with the Town attorney to consider the Town's position and instruct its attorneys regarding a pending lawsuit - Johnson Utilities vs. Town of Queen Creek. 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 Notice of Claim filed by Riggs Ellsworth 40, LLC and JMN Riggs 40, LLC. A.R.S. 38-431.03(A)(3) & (4)
- F. Discussion and consultation with the Town attorney for legal advice and with the Town's representatives regarding purchase of water credits. A.R.S. 38-431.03(A)(3) & (7)
- G. Discussion and consideration of the Town Manager's evaluation. A.R.S. 38-431.03(A)(1)

MOTION: To adjourn to Executive Session at 5:32 pm:
RESULT: Approved 5-0
MOVER: Council Member Wheatley
SECONDER: Council Member Brown
AYES: Barney, Wheatley, Benning, Brown, Oliphant
ABSENT: Hoffman, Turley

The Regular Session reconvened at 7:06 pm.

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).

Items I & K were pulled for separate votes.

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

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

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

- A. Consideration and possible approval of the following minutes: March 7, 2018 Regular Session and March 21, 2018 Regular Session.
- B. Consideration and Possible Approval of Expenditures Over \$25,000. (FY 18 Budgeted Item)
 - 1. Vertech - well equipment: \$125,000 (Utilities)
 - 2. Ferguson - building & plumbing materials: \$250,000 (Utilities)
 - 3. Econolite - traffic control cabinet: \$26,345 (Public Works/Traffic)
 - 4. Climatec - fire systems & alarms: \$76,000 (Public Works)
- C. Consideration and possible approval of Resolution 1205-18 creating new Street Light Improvement District Number 96, No. 2018-01 for Church Farm Parcel G2.
- D. Consideration and possible approval of Resolution 1206-18 creating new Street Light Improvement District Number 102, No. 2018-007 for Terravella Phase 1.
- E. Consideration and possible approval of Resolution 1207-18 creating new Street Light Improvement District Number 97, (No. 2018-002 for Gateway Quarter Parcel 1); Resolution 1208-18 creating new Street Light Improvement District Number 98, (No. 2018-003 Gateway Quarter Parcel 2); Resolution 1209-18 creating new Street Light Improvement District Number 99, (No. 2018-004 for Gateway Quarter Parcel 3); Resolution 1210-18 creating new Street Light Improvement District Number 100, (No. 2018-005 Gateway Quarter Parcel 4); and Resolution 1211-18 creating new Street Light Improvement District Number 101, (No. 2018-006 for Gateway Quarter Parcel 5)

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- F. Consideration and possible approval of Resolution 1216-18 of the Mayor and Common Council of the Town of Queen Creek, Arizona, authorizing the purchase agreement with RDC, Inc., in the amount not to exceed \$37,000 (including closing and other associated costs) for property located at Sossaman Road and Twin Acres Drive, also known as a portion of Assessor's Parcel Number 304-68-778A for the Mansel Carter Oasis Park/Sossaman Road (Project # A1803). (FY 17/18 budgeted item).
- G. Consideration and possible approval of Resolution 1217-18 of the Mayor and Common Council of the Town of Queen Creek, Arizona, authorizing the purchase agreement with Shane and Melinda Dyet, in the amount not to exceed \$30,000 (including closing and other associated costs) for property located at Sossaman Road and Aster Drive, also known as a portion of Assessor's Parcel Number 314-04-985, for the Mansel Carter Oasis Park/Sossaman Road (Project # A1803). (FY 17/18 budgeted item).
- H. Consideration and possible approval of Resolution 1218-18 modifying Assessment No. 20.01.01 for Improvement District No. 001 of the Town of Queen Creek, Arizona.
- I. Consideration and possible approval of Work Order #1 with Haydon Building Corp through a Job Order Contract with the City of Peoria (ACON51913D) for improvements to the ballfields at Desert Mountain Park in an amount not to exceed \$188,000. (FY 2017/18 budgeted item)
- J. Consideration and possible approval of a Job Order with B&F Contracting for the construction of the Ellsworth and Rittenhouse water line (WA104) in an amount not to exceed \$42,034; and the necessary budget adjustments.
- K. Consideration and possible approval of purchase contracts with Goodmans Interiors (US Communities #4400003403), Swain Electric (Town of Queen Creek #2015-002), and BPG Technologies (State of AZ #ADSP017-169278) in an amount not to exceed \$78,790 for workstation remodel services at the Recreation Annex, including necessary budget adjustments.
- L. Consideration and possible approval of First Amendment to Town of Queen Creek Contract #2017-070 with AZ Code Consultants in an amount not to exceed \$47,000 for Building Safety Plan Review and Inspection Services. (FY 2017/18 budgeted item)
- M. Consideration and possible approval of an Intergovernmental Agreement with the Queen Creek Unified School District No. 95 and delegating to the Town Manager the authority to execute any and all documents in connection with the Orchard Park Quit Claim Deed for the property located at Orchard Ranch - Southeast Corner of Ellsworth Road and Riggs Road known as Assessor's Parcel Number 304-91-989.
- N. Consideration and possible approval of an amended power distribution easement to be granted to Salt River Project at Mansel Carter Oasis Park.
- O. Consideration and possible approval of a one-year lease of premises located at 22249 S. Ellsworth Road with Painting Wonderland LLC.

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P. Consideration and possible approval of the Farm Winery Fair/Festival License Application (Series 16) submitted by Su Vino Winery for the Vintage & Vino event at Horseshoe Park & Equestrian Centre on May 18-19, 2018.

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 2018-2023 Corporate Strategic Plan.

Tracy Corman, Assitant to Town Manager and Torin Sadow, Management Assistant, reviewed the updated Goals and Strategic Priorities:

1. Effective Government
2. Safe Community – includes a new goal for construction of new stations
3. Secure Future – includes two new goals relating to development standards and procedureds; and customer rate structure
4. Superior Infrastructure
5. Quality Lifestyle

B. Presentations by Citizen Leadership Institute participants.

Debra Kuffner, Marketing Specialist, provided an overview of the Citizen Leadership Program and the project requirement. The following presentations were given:

Cherie Gores – Queen Creek Rocks project: The group hopes to project will build community goodwill by painting rocks with special messages and placing them where others will find them. Ms. Backslee reported that 1500 rocks were painted – with a goal of 2000, by the eight team members.

Carol Prellberg – Desert Mountain Rock Garden project: The group of eleven designed the garden, obtained the materials and built the garden for students to place their painted rocks.

Derek Zeigler – Queen Creek Veteran’s Memorial: The group designed the memorial space and identified three possible locations: Mansel Carter Oasis Park, Queen Creek Library or the Law Enforcement campus. The group will continue with fundraising, exploring grant opportunities and/or non-profit funding for the construction of the memorial.

Larry Fleischer – Explore QC Trails: The group created a Facebook page to promote and encourage the use of the trail system. The page has trail information and allows for photo uploads. Currently there are 225 members and 160 photos posted.

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

- A. Citizen Leadership Institute Graduation – the following were recognized for completing the 2018 Citizen Leadership Institute:

Certificates were presented to the following graduates: Sherry Arce, Eduardo Balli, Joellen Barriga, Rick Blake, Natalya Brown, Robert Burgess, Brittany Chatterson, Tiffany Cloud, Hayley Dean, Pamela Dean, Mark Dillehay, Larry Fleischer, Jennifer Flynn, Tom Glow, Maria Gonzalez, Cherie Gores, Amber Gough, Lisa Gould, Lamar Keener, Bradley Kendrex, Warren Lanphere, Steven Lord, Echo Love, Jeremy Love, Dave McCormick, Brian McKean, Dana McKell, Linda Moyer, Amanda Neff, Pamela Palmer, Carol Prellberg, Rick Oliphant, Talaya Russell, Thomas Sanfilippo, John Utsch, Tracy Werner, Benjamin Wheatley, Russ Young and Derek Zeigler.

- B. Recognition of Queen Creek Middle School Girls 8th Grade Basketball team for winning conference title.
- C. Recognition of Heritage Academy Junior High Boys Cross Country team for winning Arizona state title and Junior High Co-ed Soccer team for making play-offs.

Each school and team members were recognized and presented a certificate.

- D. Proclamation - Police Week May 20-27
- E. Proclamation - Public Works Week May 20-27

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. Transportation Advisory Committee - May 10, 2018

Vice Mayor Turley reported on the nomination of Bob Estler as Vice Chair; Town Center Plan presentation; discussion on the Bike & Pedestrian Masterplan; and discussion on Open Meeting Law, annexations and meeting start time.

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.

None.

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.

A. Discussion and possible approval of the Parks & Recreation Master Plan Update.

Marnie Schubert, Communications, Marketing & Recreation Director, provided an overview of the two-year master plan update process that included numerous outreach activities, resident input, stakeholder group meetings and public workshops. New state laws regarding parks and open space were also incorporated into the plan.

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David Dobbs, Parks & Recreation Advisory Committee (PRAC) Chair, discussed the changes between the 2007 Five Park Master Plan and the updated 2018 plan. He also provided detail on the process and public participation in the update process. Mr. Dobbs discussed how the Level of Service (LOS) has changed over the past 10 years due mostly to changing demographics in the Town. He stated the PRAC recommends and supports the draft master plan.

Adam Robinson, Recreation Superintendent, discussed the Level of Service proposed in the master plan update which is decreasing from the 61 acres per 10,000 as approved in the 2005 Parks, Trails and Open Space Master Plan to 40 acres per 10,000 as recommended by Council and budgetary constraints, with the ultimate goal of a LOS of 51 acres per 10,000 that is in the master plan update, and keeping the same goals of previous master plan. He added that lakes/ponds and special features are new items. Mr. Robinson also reviewed the 11-mile loop trail system comprised of the Queen Creek Wash and Sonoqui Wash with connections.

Scott McCarty, Finance Director, discussed the financing of the park plan and improvements through an Infrastructure Improvement Plan (IIP) with an annual budget and updated impact fees. He stated there were no new taxes or fees proposed. Mr. McCarty explained that Carter Mansel Oasis Park was budgeted in FY17/18; East Park in FY18/19; and the remainder of the plan is identified in FY19/20.

Dru Alberti, Vice Chair of PRAC, discussed the master plan's importance to the community and how the constituents created it. She said the Town needs to continue to grow the parks and trails.

Council discussed the commitment and involvement of residents and stakeholders throughout the update process; the benefits parks provide to communities; addressing the resident's needs and prioritizing improvements; and providing parks in areas that have the most need. There was also discussion on the previous removal of the aquatics center; BMX track and multi-generational center from the 10-year plan but leaving those items in for the ultimate LOS of 51 as well as the costs to build and maintain pools/aquatic centers.

MOTION: To approve the Parks & Recreation Master Plan Update as proposed:
RESULT: Approved 5-2
MOVER: Council Member Brown
SECONDER: Council Member Benning
AYES: Barney, Wheatley, Benning, Brown, Oliphant
NAYES: Hoffman, Turley

Discussion was concerning the costs to implement the Parks Master Plan Update.

ALTERNATE
MOTION: To approve “Plan C” presented at previous meeting that includes only the 90-acre East Park plus trails:
RESULT: Failed 2-5
MOVER: Council Member Hoffman
SECONDER: Vice Mayor Turley
AYES: Hoffman, Turley
NAYES: Barney, Wheatley, Benning, Brown, Oliphant

- B. Consideration and possible action on the Town's FY 2018/19 Tentative Budget of \$251.9M. In addition, setting the public hearing for June 6, 2018 for both the Final Budget and the Truth in Taxation per requirements under Arizona State Statutes.

Town Manager John Kross explained that adopted policies and plans help to set priorities within the budget and how the budget is then developed between Council and staff. Mr. Kross explained the budget adoption process, which begins with the approval of the tentative budget, which sets the ceiling, followed by the adoption of the final budget. He reported that infrastructure (roads & parks) comprise a large portion of the proposed budget and that new financial policies address the unfunded liability for public safety retirement.

Mr. Kross provided information on the Budget Committee's recommendation on a \$251.9M, based on the addition of \$22M for north/south roadways and \$500K for covered arena at Horseshoe Park & Equestrian Centre. He noted the Town Manager's recommended budget was \$229.4K. Mr. Kross also discussed the

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proposed increase in FTE's within the Fire & Medical Department, Public Works and Utilities.

Finance Director Scott McCarty reviewed the overall operating budget that provides day-to-day services to the community and the funding of the 5-year Transportation Plan; increased public safety staffing and reducing/eliminating reliance on construction sales tax. Mr. McCarty also reviewed the operating revenues that come mainly from sales tax and state shared revenues. The property tax levied for public safety, as Mr. McCarty explained that the levy rate was remaining at \$1.95/\$100 av. but with increased valuations the revenue would also increase.

Mr. McCarty provided additional information on the Budget Committee recommendation to add \$22M for road infrastructure for north/south roads outside of the Town of Queen Creek limits (Mesa and Pinal County); the Water, Wastewater and Solid Waste Enterprise Funds (all self-funded) and the design of East Park.

Mr. McCarty stated that the adoption of the final budget is scheduled for June 6, 2018 and adoption of the tax levy on June 20, 2018.

Council Member Benning, Budget Committee Chair, commented on the responsibility of the Town to provide services to the community and his support of the additional \$22M for road infrastructure outside of Town and the additional \$500K for the 2nd covered arena at Horseshoe Park & Equestrian Centre (HPEC).

Council Member Hoffman, Budget Committee member, commented on the preparation of the budget.

Council Member Oliphant, Budget Committee member, commented on the detailed information provided to the Committee. She also stated her support of the 2nd covered arena at HPEC, explaining that there are many other activities and events scheduled at HPEC that aren't horse related.

The meeting was opened for Public Comment.

Terry Randall, representing the AZ Cutting Horse Board, discussed their activities at HPEC, with 27 nights booked through October-April attracting 300 or more people to the park for each event. Mr. Randall discussed the association's donation towards the covered arena, which will assure their events aren't cancelled due to rain or other weather. He stated HPEC was an investment for the community.

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Dru Alberti, Queen Creek and representing Friends of Horseshoe Park, commented on how HPEC is an asset to the community and economic driver.

There was further Council discussion on the preparation of the budget through the Council, staff, Budget Committee and other stakeholders. The history of funding, Horseshoe Park & Equestrian Centre was discussed.

MOTION:	To approve the FY18/19 Tentative Budget of \$251.9M and set the Public Hearings for both the FY18/19 Final Budget as well as Truth in Taxation as required under Arizona Revised Statutes to occur June 6, 2018 at 7 pm in the Community Chambers:
RESULT:	Approved 5-2
MOVER:	Council Member Benning
SECONDER:	Council Member Oliphant
AYES:	Barney, Wheatley, Benning, Brown, Oliphant
NAYES:	Hoffman, Turley

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.
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 Council reconvened to Executive Session at 10:28 pm.

17. Adjournment

The Regular Session reconvened and adjourned at 11:07 pm.

TOWN OF QUEEN CREEK

Gail Barney, Mayor

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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 16, 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 September 5, 2018



Council Committee Reports (1)

- 5/3 - East Valley Mayor's Luncheon (Barney)
- 5/3 – EVP Board Meeting (Wheatley)
- 5/3 – Banner Health Community Forum #3 (Brown, Oliphant, Wheatley)
- 5/4 – Girl Scout's Bridging Ceremony (Turley)
- 5/10 – Agenda Review with Town Manager John Kross (Turley)
- 5/10 - GPEC Community Partnership Program (Oliphant, Turley)
- 5/10 - Transportation Advisory Committee Meeting (Turley)
- 5/11 - League Executive Committee Meeting (Barney)
- 5/12 - Ironwood Crossing Block Party (Barney, Benning, Brown, Turley, Wheatley)
- 5/14 - MAG Regional Council Executive Committee (Barney)



Council Committee Reports (2)

- 5/15 - Phoenix-Mesa Gateway Board Meeting (Barney)
- 5/15 - League of AZ Cities & Towns Public Safety, Military Affairs and Courts (PSMAC) Policy Committee Meeting (Wheatley)
- 5/16 – Star Students Middle/High School Program (Barney, Benning, Brown, Turley, Wheatley)