



Minutes
Regular Session
Queen Creek Town Council
Community Chambers, 20727 E. Civic Parkway
September 19, 2018
6:00 PM

1. Call to Order:

The meeting was called to order at 6:00 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 – via telephone
Julia Wheatley	Council Member	Present
Emilena Turley	Vice Mayor	Present
Gail Barney	Mayor	Present

3. Pledge of Allegiance:

Council Member Wheatley led the Pledge of Allegiance.

4. Invocation/Moment of Silence:

A moment of silence was held for those in uniform including Queen Creek Fire Medical and Maricopa County Sheriff's Office deputies.

5. Motion to Adjourn into Executive Session (to be held in the Ironwood Conference Room in the Community Chambers Building) for the following purposes):

MOTION:	To adjourn to Executive Session at 6:02 PM:
RESULT:	Approved unanimously
MOVER:	Council Member Benning
SECONDER:	Vice Mayor Turley
AYES:	Barney, Wheatley, Benning, Brown, Oliphant, Turley, Hoffman

- 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 an intergovernmental agreement with Maricopa County for the landfill park. A.R.S. 38-431.03(A)(3) & (4)

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- B. 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 a possible intergovernmental agreement with the City of Mesa for Ellsworth Road, Signal Butte Road and Meridian Road. 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 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'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)
- 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)
- F. Discussion and consultation with the Town's attorney for legal advice and with the Town attorney to consider the Town's position and instruct its attorneys regarding potentially filing an amicus brief in the Vangilder et.al v. Department of Revenue, et.al. A.R.S. 38.431.03(A)(3) & (4)
- G. Discussion and consultation with the Town's attorney for legal advice and with the Town attorney to consider the Town's position regarding the Canyon State Academy campus. A.R.S. 38-431.03(A)(3)

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).

Council Member Wheatley requested Item B removed for a separate vote. Mayor Barney requested Item E removed and declared a conflict of interest.

MOTION:	To approve the remainder of the Consent Agenda, less B & E:
RESULT:	Approved unanimously
MOVER:	Council Member Benning
SECONDER:	Council Member Brown
AYES:	Barney, Wheatley, Benning, Brown, Oliphant, Turley, Hoffman

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MOTION: To approve Item B:
RESULT: Approved 6-1
MOVER: Council Member Benning
SECONDER: Vice Mayor Turley
AYES: Barney, Benning, Brown, Oliphant, Turley, Hoffman
NAYES: Wheatley

MOTION: To approve Item E:
RESULT: Approved 6-0
MOVER: Council Member Brown
SECONDER: Council Member Benning
AYES: Wheatley, Benning, Brown, Oliphant, Turley, Hoffman
ABSTAIN: Barney

- A. Consideration and Possible Approval of Expenditures Over \$25,000. (FY 19 Budgeted Item)
 - 1. Swain Electric, Inc. - electrical services: \$52,385 (Fire & Medical)
- B. Consideration and possible approval of the "Final Plat" of Village Greens of Queen Creek, a request by Truvista Development LLC.
- C. Consideration and possible approval of the "Final Plat" of Ovation at Meridian Parcel S1, a request by William Lyon Homes Inc.
- D. Consideration and possible approval of a Power Distribution Easement, for ED6 Power Service to the Church Farms Well Site, to be granted to Salt River Project along Meridian Road south of Via Del Jardin and north of Chandler Heights Boulevard.
- E. Consideration and possible approval of a Professional Services Contract with Clear Creek Associates in an amount not to exceed \$210,184 for Design, Construction Management and Evaluation Services for the installation of the Barney Farms Lake Well (WA020) and Barney Farms Tank Site Well (WA193); and necessary budget adjustments.
- F. Consideration and possible approval of the Purchase Agreement with SD Crane (State Cooperative Contract #ADSP017-174291) with a contract amount not to exceed \$881,000 plus an additional \$88,100 for owner's contingency for the construction of tenant improvements to the Utilities Field Operations Facility for a total not to exceed \$969,100, (MF015). (FY17/18 Carry Forward Budget and FY19 Budgeted Item)
- G. Consideration and possible approval of the Special Event Liquor License for Vintage & Vino to be held at Horseshoe Park and Equestrian Centre on October 12 and 13, 2018.

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H. Consideration and possible approval of the Farm Winery Fair/Festival License applications (Series 16) submitted by Su Vino Winery, Drinking Horn, and Sonoita Vineyards for the Vintage & Vino Event at Horseshoe Park & Equestrian Centre on October 12 and 13, 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.

None.

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

None.

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)

None.

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

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or staff comment on any item without removing it from the Consent Agenda or remove any item for separate discussion and consideration.

- A. Public Hearing and possible approval of the application for Acquisition of Control/Agent Change submitted by John Dean Curtis II, on behalf of Buffalo Wild Wings, 21374 S. Ellsworth Loop Rd (License #1207A305).

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

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 Annexation Case P18-0059 "Madera West" (Anglin Dairy), a proposed annexation of approximately 94 acres generally located at the southwest corner of Queen Creek Road and Signal Butte Road.

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

Planner Mertin provided an overview of the annexation area and request by single property owner for annexation. Ms. Mertin stated the property has been in the Town's Planning Area since 1991. She provided a timeline of hearings and a final effective date of December 7, 2018.

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 a contract with Perlman Architects of Arizona, Inc., in the amount of \$301,796 for design services for the new Fire Station #4.

Fire Chief Gray stated that Fire Station #4 had originally been planned as a smaller neighborhood station but with the increase in density/population with the approved developments and annexations in the northeast section of Town, as well as future SR24, the calls for service will also increase. In addition, there will be office space, parking and a briefing room for MCSO. Chief Gray explained that the combined

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facility would allow both agencies to respond more quickly and provide the public with closer access to public safety services. Chief Gray also discussed the lack of road access from neighboring jurisdictions for automatic aid responses.

Chief Gray also reported that the larger station would increase the station budget by approximately \$2M, but that amount would be approved at the same time the construction contract is approved. He added that majority of funding will be from impact fees.

Council discussed future growth and services in the southeast portion of Town. Chief Gray stated that area is continuing to be evaluation and land has not been acquired at this time.

Town Manager Kross noted the original masterplan identified Fire Station #5 as being in the southeast and Finance Director McCarty added that it is included in the 5-year plan.

MOTION:	To approve a contract with Perlman Architects of Arizona, Inc., in the amount of \$301,796 for design services for the new Fire Station #4.
RESULT:	Approved unanimously
MOVER:	Council Member Benning
SECONDER:	Vice Mayor Turley
AYES:	Barney, Wheatley, Benning, Brown, Oliphant, Turley, Hoffman

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 7:33 PM.

17. Adjournment

The Regular Session reconvened and adjourned at 9:33 PM.

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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 September 19, 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 October 17, 2018



Council Committee Reports (1)

- 9/6 – East Valley Mayor’s Luncheon (Barney)
- 9/6 – EVP Board Meeting (Wheatley)
- 9/10 - QCUSD Elementary #7 Groundbreaking Ceremony (Wheatley)
- 9/10 - Gateway/Northern Pinal Area Alliance of Governments Meeting (Barney)
- 9/11 – Meeting with QC Fire Chief Vance Gray (Oliphant)
- 9/11 – ACC Hearing (Barney)
- 9/11 – Addressing Cambridge Academy Students (Hoffman, Turley)
- 9/11 – Town Zoning Ordinance and General Plan Review Meeting (Turley)
- 9/11 - American Legion Post 129 Annual Spaghetti Dinner (Benning, Oliphant)
- 9/11 – PRAC Meeting (Hoffman, Wheatley)
- 9/12 – Speaking with Boy Scouts Troop (Wheatley)
- 9/13 – QCUSD CAFÉ Event (Oliphant, Wheatley)



Council Committee Reports (2)

- 9/14 – Emergency Action Drill (Barney, Oliphant, Turley, Wheatley)
- 9/15 – Boys & Girls Club Day for Kids (Barney)
- 9/17 - MAG Regional Council Executive Committee (Barney)
- 9/18 – Speaking with Boy Scouts Troop (Hoffman)
- 9/18 - Phoenix-Mesa Gateway Board Meeting (Barney)
- 9/18 – Speaking with Pack 70 Webelos Boy Scouts Troop (Benning)
- 9/19 - MAG Regional Transportation Plan Workshop (Barney)