



Minutes
Regular Session
Queen Creek Town Council
Community Chambers, 20727 E. Civic Parkway
October 17, 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 – arrived at 6:16 pm.
Dawn Oliphant	Council Member	Present – arrived at 5:47 pm.
Julia Wheatley	Council Member	Present
Emilena Turley	Vice Mayor	Present
Gail Barney	Mayor	Present

3. Pledge of Allegiance:

Led by Mayor Barney.

4. Invocation/Moment of Silence:

A moment of silence was held.

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

RESULT:	Approved unanimously at 5:32 pm. (5-0)
MOVER:	Vice Mayor Turley
SECONDER:	Council Member Benning
AYES:	Barney, Wheatley, Benning, Brown, Turley
ABSENT:	Oliphant, Hoffman

- A. Discussion and consultation with the Town's attorneys for legal advice and with the Town attorney and representatives regarding regulation of loitering. 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 amendment to the Intergovernmental Agreement with Pinal County regarding Germann Rd. from Ironwood to Meridian Roads. 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 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)
- D. 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)
- E. 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)
- F. Discussion and consultation with the Town's attorney for legal advice and with the Town attorney and representatives 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)
- G. Discussion and consideration of the Town Clerk's evaluation. 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 representatives regarding a potential acquisition of long term surface water rights and/or groundwater extinguishment credits. A.R.S. 38-431.03(A)(3) & (4)

The Regular Session reconvened at 6:58 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).

Consent Agenda Item H was pulled for discussion and moved to Carryover Consent Agenda.

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MOTION:	To approve the Consent Agenda A-G, I & J:
RESULT:	Approved unanimously (7-0)
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: September 5, 2018 Regular Session and September 19, 2018 Regular Session.
- B. Consideration and possible approval of Expenditures Over \$25,000. (FY 19 Budgeted Item)
 - 1. L.N. Curtis & Sons - emergency equipment: \$91,393 (Fire & Medical)
 - 2. Motorola Solutions, Inc. - communications equipment: \$53,026 (Fire & Medical)
 - 3. Swain Electric - electrical services: \$500,000 (Utilities)
 - 4. Pavement Restoration, Inc. - surface rejuvenation: \$250,000 (Public Works)
 - 5. Midway Chevrolet - valve exercising truck: \$113,600 (Utilities)
- C. Consideration and possible approval of the "Final Plat" of Harvest Queen Creek Parcels 1-1 thru 1-7 and Phase 1 Master Plat, a request by Harvest QC, LLC.
- D. Consideration and possible approval of the appointment of Justin Bartes and the reappointment of Allison Bague and Darrel Rotier to the Board of Adjustment.
- E. Consideration and possible approval of the reappointment of Michael Trujillo to the Transportation Advisory Committee.
- F. Consideration and possible approval of a First Amendment to the Intergovernmental Agreement (IGA) between Maricopa County and the Town of Queen Creek for the purpose of animal control services in the amount of \$24,255 for FY18/19. (FY 18/19 budgeted item)
- G. Consideration and possible approval of the Second Amendment to the TOPAZ Regional Wireless Cooperative (TRWC) Amended and Restated Intergovernmental Agreement.
- H. Consideration and possible approval of a Professional Services Design Contract with J2 Engineering, in an amount not to exceed \$63,506 for the Conceptual and Final Design of Street Lighting and Median Hardscape for the Agritainment District (CIP Project A0306) and any necessary budget adjustments. (FY19 budgeted item)
- I. Consideration and possible approval of Resolution 1233-18 amending the Town Council Policies and Procedures Section XVI Committees and Resolution 1234-18 amending the Standard Form Bylaws for Designated Town Committees and Task Forces.
- J. Consideration and possible approval of a special event liquor license for the Bacon, Blues and Brews Festival at Founders' Park on November 3, 2018.

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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):**

A. Proclamation: Cities & Towns Week

Mayor Barney commented on services, programs and information provided to communities by local governments.

B. Community Emergency Response Team (CERT) Basic Training Class Graduation

Fire Chief Gray discussed the purpose and importance of the Community Emergency Response Team (CERT) and the training involved. Mayor Barney and Chief Gray then presented the following with Certificates: Cheryl Allred; Steve Allred; James Case; Todd Cooley; Joseph Dietrich; Chance Figueroa; Wanda Flack; Michael Greenwald; Justin Naylor; Troy Pearce; Cameron Rogers; Brandon Spencer; Kalissa Spencer; Chris Turley; Peter Vanderpool.

C. Copper Anvil Award presentation

PIO Constance Wilson described the Copper Anvil Award received by the Town for the General Plan Update.

D. Presentation by Candice Steelman and Jason Barney on the JustServe community service website

Assistant Town Manager Bruce Gardner introduced Candice Steelman. Ms. Steelman presented the JustServe volunteer program and explained how to use the website to either volunteer or list volunteer needs.

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

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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)

1. Parks & Recreation Advisory Committee - October 16, 2018: Council Member Wheatley reported on the Committee's discussion on a rental fee structure for the Splash Pad at Founder's Park.

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

- A. Consideration and possible approval of a Professional Services Design Contract with J2 Engineering, in an amount not to exceed \$63,506 for the Conceptual and Final Design of Street Lighting and Median Hardscape for the Agritainment District (CIP Project A0306) and any necessary budget adjustments. (FY19 budgeted item)

Council requested additional information on the cost of upgraded hardscape in the Agritainment Districts. Public Works Director White responded that until a concept design is completed, the cost is unknown. There was discussion on supporting the approved South Area Specific Plan that included the Agritainment Districts as a component. Additional discussion was on agritainment districts.

MOTION: To approve a Professional Services Design Contract with J2 Engineering, in an amount not to exceed \$63,506 for the Conceptual and Final Design of Street Lighting and Median Hardscape for the Agritainment District (CIP Project A0306) and any necessary budget adjustments:

RESULT: Approved 5-2

MOVER: Council Member Benning

SECONDER: Council Member Brown

AYES: Barney, Wheatley, Benning, Brown, Oliphant

NAYS: Turley, Hoffman

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.

MOTION:	To approve the Public Hearings Consent Agenda:
RESULT:	Approved unanimously (7-0)
MOVER:	Council Member Hoffman
SECONDER:	Vice Mayor Turley
AYES:	Barney, Wheatley, Benning, Brown, Oliphant, Turley, Hoffman

- A. Public Hearing and possible approval of a Series 12 Restaurant Liquor License Application (License #29244) submitted by John Duc Loi for Ryu Sushi & Teppanyaki, 21838 S. Ellsworth Rd.
- B. Public Hearing and possible approval of a Series 12 Restaurant Liquor License Application (License #29174) submitted by Timothy Michael Shaughnessy for Nando's Mexican Cafe, 20734 E. Victoria Lane (Queen Creek Fiesta).
- C. Public Hearing and possible approval of Ordinance 678-18, Case P18-0095 "Town Property Rezone (North of Post Office)", a staff-initiated Rezoning of three Town-owned parcels totaling approximately 2.12 acres from R1-43 (Rural Estate) and C-1 (Light Commercial) to C-2 (General Commercial) to facilitate the development of future office and commercial uses. The three (3) properties are generally located approximately 900 feet south of the southwest corner of Ellsworth Loop & Ocotillo Roads, directly north of the Queen Creek United States Post Office.
- D. Public Hearing and possible approval of Ordinance 679-18, P18-0139 "Gerber Collision at Power Marketplace PAD Amendment" a request from Ralph Pew, Pew & Lake, PLC on behalf of the Queen Creek Power Marketplace, LLC, for a Planned Area Development (PAD) amendment to the Power Marketplace development (Ordinance 334-06) to remove a condition of approval that restricts the number of automotive related uses, located on Business Park Road between Germann Road and Rittenhouse Road in the Business Park at Power Marketplace.
- E. Public Hearing and possible approval of Ordinance 680-18 Case P18-0133 "Germann 516 Rezone", a request from the Town of Queen Creek, to rezone approximately 516 acres from R1-54 (General Rural Development District) to R1-5 (Urban Development District), C-2 (General Commercial), and HDR (High Density Residential) located on the west side of Ironwood Drive between Germann Road, Pima Road, and the Meridian Road alignment.

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

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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.

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 7:37 pm.

17. Adjournment

The Regular Session reconvened and adjourned at 8:58 pm.

TOWN OF QUEEN CREEK



Gail Barney, Mayor

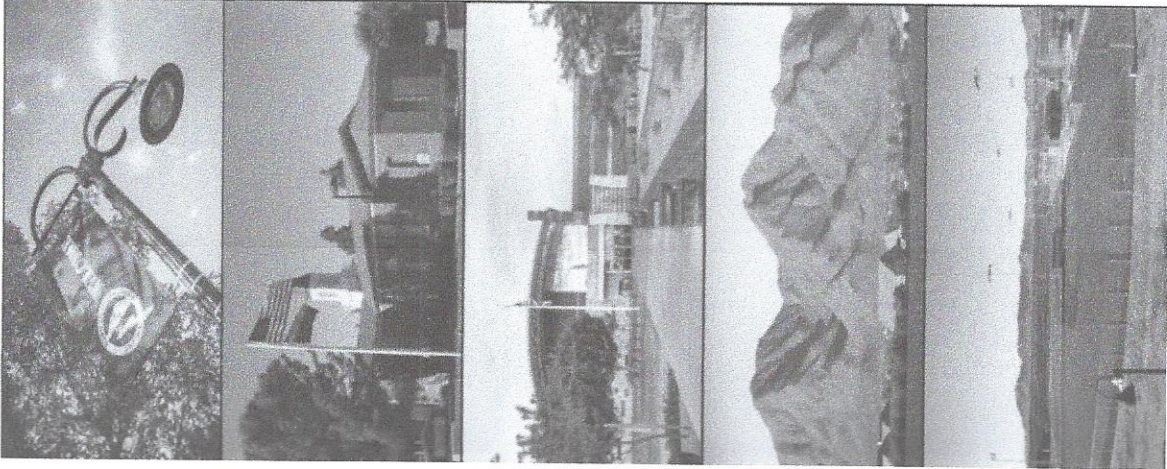
ATTEST:



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 October 17, 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 November 7, 2018



Council Committee Reports

- 10/8 – Library Meeting with Resident (Barney)
- 10/9 – Meeting with Canyon State Academy Leaders (Barney, Turley)
- 10/9 – GPEC Strategic Plan Phone Interview (Barney)
- 10/9 – GPEC Annual Event (Barney)
- 10/13 – Pan De Vida Foundation 9th Annual Cultural Festival (Barney, Brown)
- 10/13 – Relay for Life (Barney, Oliphant)
- 10/15 – MAG Regional Council Executive Committee (Barney)
- 10/16 – Phoenix-Mesa Gateway Board Meeting (Barney)
- 10/16 – QCUSD Board Meeting / General Session (Turley)
- 10/16 – PRAC Meeting (Wheatley)
- 10/17 – QCUSD Strategic Planning Meeting (Turley)
- 10/17 – Heart to Soul Reiki Ribbon Cutting (Wheatley)