



**Minutes**  
**Regular Session**  
**Queen Creek Town Council**  
Community Chambers, 20727 E. Civic Parkway  
November 7, 2018  
5:30 PM

**1. Call to Order:**

The meeting was called to order at 5:30PM.

**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	Absent
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 in honor of Veteran's Day and North Ogden, UT Mayor Brent Taylor who was killed in Afghanistan last 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):**

<b>RESULT:</b>	<b>Approved unanimously</b>
<b>MOVER:</b>	Council Member Brown
<b>SECONDER:</b>	Vice Mayor Turley
<b>AYES:</b>	Barney, Benning, Brown, Oliphant, Turley, Hoffman
<b>ABSENT:</b>	Wheatley

- 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 a possible pre-annexation development agreement with Anglin Dairy/Madera West. 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 development agreement for West Park Estates regarding road improvements. A.R.S. 38-431.03(A)(3) & (4)
- C. 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)
- 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 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)

The Regular Session reconvened at 6:18PM. Vice Mayor Turley was absent from the meeting from 5:53PM – 7:00PM.

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 Brown requested Item C removed for a separate vote.

<b>MOTION:</b>	<b>To approve the Consent Agenda A-B and D-N:</b>
<b>RESULT:</b>	<b>Approved 5-0</b>
<b>MOVER:</b>	Council Member Benning
<b>SECONDER:</b>	Council Member Oliphant
<b>AYES:</b>	Barney, Benning, Brown, Oliphant, Hoffman
<b>ABSENT:</b>	Wheatley
<b>AWAY:</b>	Turley

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**MOTION:** To approve Consent Agenda C:  
**RESULT:** Approved 4-0  
**MOVER:** Council Member Oliphant  
**SECONDER:** Council Member Benning  
**AYES:** Barney, Benning, Oliphant, Hoffman  
**NAYES:** Brown  
**ABSENT:** Wheatley  
**AWAY:** Turley

- A. Consideration and possible approval of the following minutes: October 3, 2018 Regular Session and October 17, 2018 Regular Session.
- B. Consideration and possible approval of Expenditures Over \$25,000. (FY 19 Budgeted Item)
  - 1. M.R. Tanner - pavement repair: \$277,627 (Public Works)
  - 2. Larry Miller Toyota - three replacement trucks: \$93,000 (Utilities)
  - 3. Empire - heavy equipment rental: \$50,000 (Utilities)
- C. Consideration and possible approval of the "Final Plat" of West Park Estates, a request by Falcon Pointe Group LLC.
- D. Consideration and possible approval of the Special Event Liquor License for the Mexican Rodeo scheduled on December 15, 2018 at Horseshoe Park & Equestrian Centre.
- E. Consideration and possible approval of a special event liquor license for the Queen Creek Holiday Festival & Parade in Town Center on December 1, 2018.
- F. Consideration and possible approval of Resolution 1237-18 of the Mayor and Common Council of the Town of Queen Creek, Arizona, declaring a public need and necessity and a public purpose; authorizing and directing the Town Manager, Town Attorney and Town Clerk to take any and all action necessary; and to sign any and all documents, and to pay any and all costs or fees in order to acquire interest in real property located at 6079 W. Hunt Highway (also known as Pinal County Assessor Number 509-04-080) from owners Dale A. Bell and Marylee Bell for road improvements as necessary to the Ellsworth Road from Empire Road to Hunt Highway Project (A0208).
- G. Consideration and possible approval of the Job Order Contracts with Hylan West, Inc., All American Underground and High Desert Communications for boring services. (FY 19 Budgeted Item)
- H. Consideration and possible approval of the First Amendment to Contract #2016-066 with PBC Phoenix Inc., dba Commercial Cleaning Services (CCS) for custodial cleaning services. (FY19/20 Budgeted item).

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- I. Consideration and possible approval of an agreement with Salt River Project for conversion of overhead electrical distribution facilities along Queen Creek Road east of Ellsworth Road (CIP No. I0010) and the use of SRP Aesthetic Funds in the amount of \$142,100.
- J. Consideration and possible approval of a Project Order No. 002 to the on-call contract with EPS Group in an amount not to exceed \$639,409 for the engineering design of street, drainage, and utility related improvements to widen and improve Ocotillo Road between Signal Butte Road and Ironwood Road (CIP Project A0115) and necessary budget adjustments. (FY19 Budgeted Item)
- K. Consideration and possible approval of an Intergovernmental Agreement (IGA) with Maricopa County in an amount not to exceed \$2,005,191 for improvements to Ocotillo Road from 228th Street to Meridian Road.
- L. Consideration and possible approval of a Project Order in the amount of \$77,574 with Logan Simpson Design for preliminary design of the Sonoqui Wash trail (Project # TE200) (FY2019 budgeted item)
- M. Consideration and possible approval of a professional services agreement with Stantec Consulting Services in an amount not to exceed \$1,580,500 for design of Power Road from Brooks Farm to Chandler Heights Road (CIP Project A1404, WA126) and Chandler Heights Rd from Via Del Arroyo to Recker Road. (CIP Project A0603, WA166, WW090, A0604, WA196, A0605) and necessary budget adjustments.
- N. Consideration and possible approval of a proposal in an amount not to exceed \$320,045 with MR Tanner to construct the Hawes Road ½-street adjacent to Creek View Ranches (A0402) via City of Chandler Cooperative Contract Number ST5-745-3434 and necessary budget adjustments. (Budgeted in FY 2019)

**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. Presentation by Canyon State Academy.**

Brian Heath, Executive Director for Canyon State Academy (CSA) discussed the programs offered at CSA for 4-17 year old youth: Boys Group Home; school; Desert Lily Academy (girls); boys shelter; Prestige Day School (co-ed); student life activities; vocational training and extracurricular activities. He also provided an update on the truancy issues, stating CSA is working with Capt. Lugo, HOA's and Town staff. Mr. Heath stated that CSA is committed to get a school resource officer at the facility and CSA is working on creating an advisory committee that includes members from CSA, Town and community members. Mr. Heath also stated that communications between CSA and Town will continue to be enhanced and more informative.

Liz Porter, with Desert Lily Academy, provided examples of several girls who were able to overcome difficulties and succeed through the program.

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Paul McCurtain, Program Director, discussed a situation of four homeless siblings who had been placed in CSA and the outcomes. The oldest completed the program; another is succeeding in the equine program and the youngest boy is continuing to progress, while the sister has been reunited with family members.

Marie Culpepper, Community & Business Director, discussed community involvement opportunities including tax-deductible contributions and volunteer opportunities as well as the mentorship program.

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

A. Award Recognition to Environmental Services/Solid Waste Division for the 2018 Municipality of the Year Award for Recycling Excellence for the Town's "Shut Your Lid/Do More Blue" education and outreach program.

Ramona Simpson, Environmental Programs Manager, gave a presentation on the "Shut Your Lid/Do More Blue" recycling program campaign and the award the Town received from the Arizona Recycling Coalition.

B. Award Recognition to Dennis Tan, Champion Youth Weightlifter

Mayor Barney recognized Dennis Tan for his achievements as a youth weightlifter. Mr. Tan has won at the Youth Nationals in Austin TX; Spokane, WA; American Open Series Meet in Philadelphia and the Junior Pan-Am in Manizales, Columbia.

**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)

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

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

- A. Public Hearing and possible action on Ordinance 682-18 "Madera West Planned Area Development Rezone (Case P18-0041)", a request from Michelle Yerger, of Communities Southwest, to rezone a 94-acre property (approximately) from RU-43 (Maricopa County; R1-43 Town equivalent zoning) to R1-7, R1-12, R1-18, and C-2 with a Planned Area Development (PAD) Overlay to facilitate the development of a 192 lot residential community with a commercial corner. The project site is located at the southwest corner of Queen Creek Road and Signal Butte Road. (A continuance to December 5, 2018 has been requested)
- B. Public Hearing and possible action on Ordinance 677-18, P18-0034 "Complete Fire Protection", a request from Les Partch, Functional Formation Architecture, to rezone from R1-43 (Rural Estate District) to EMP-A (Office/Industrial Park) for office and warehouse uses on a 5.0-acre (approx.) site located on the south side of Germann Road, 1,315 feet (approx.) east of Sossaman Road.

- 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.

Discussion and the Public Hearings for A & B were held at the same time.

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- A. Public Hearing and possible action on Ordinance 683-18, Ordinance 684-18, Ordinance 685-18, Ordinance 686-18, Ordinance 687-18, Ordinance 688-18, "Town Center Rezone" (Case P18-0135-Text Amendments) a staff initiated rezone and text amendments to amend the Town Center (TC) Zoning District to allow greater zoning flexibility by establishing the new Downtown Core (DC) District of Queen Creek on approximately 70 acres located between S. Ellsworth Loop Rd. and S. Ellsworth Rd. from E. Victoria Lane to the intersection of S. Ellsworth Rd. and S. Ellsworth Loop Rd.

Downtown Development Manager Jennifer Lindley discussed Town Center Guidelines that provides flexibility for downtown/Town Center development. Ms. Lindley reviewed the approval of the Town Center Plan in 2017 and the Town Center zoning update process that began in April 2018. The update received recommendations for approval from the community stakeholders and Planning & Zoning Commission.

Jeff Denzak, Swaback Partners, discussed further the proposed design guidelines that were developed to be user friendly and maintain quality development.

Planner Kyle Barichello, reviewed the rezoning of Town Center (TC) zoning district to Downtown Core (DC).

The Public Hearing was opened.

Stacy Brimhall, Gilbert, stated he participated in the process and is fully supportive of the proposal.

Jason Barney, Gilbert, stated he participated in the process and is also a member of the Economic Development Commission. He said the plan would help Queen Creek develop in a collaborative way between the Town and private developers.

The Public Hearing was closed.

**MOTION:** To approve Ordinance 683-18, Ordinance 684-18, Ordinance 685-18, Ordinance 686-18, Ordinance 687-18, Ordinance 688-18, “Town Center Rezone” (Case P18-0135-Text Amendments) a staff initiated rezone and text amendments to amend the Town Center (TC) Zoning District to allow greater zoning flexibility by establishing the new Downtown Core (DC) District of Queen Creek on approximately 70 acres located between S. Ellsworth Loop Rd. and S. Ellsworth Rd. from E. Victoria Lane to the intersection of S. Ellsworth Rd. and S. Ellsworth Loop Rd:

**RESULT:** Approved unanimously

**MOVER:** Council Member Benning

**SECONDER:** Council Member Brown

**AYES:** Barney, Benning, Brown, Oliphant, Turley, Hoffman

**ABSENT:** Wheatley

- B. Public Hearing and possible action on Ordinance 689-18, “Town Center Rezone” (Case P18-0135-Zoning Map update), a staff initiated rezone and text amendments to amend the Town Center (TC) Zoning District to allow greater zoning flexibility by establishing the new Downtown Core (DC) District of Queen Creek on approximately 70 acres located between S. Ellsworth Loop Rd. and S. Ellsworth Rd. from E. Victoria Lane to the intersection of S. Ellsworth Rd. and S. Ellsworth Loop Rd.



**MOTION:** To approve Ordinance 689-18 "Town Center Rezone" (Case P18-0135-Text Amendments) a staff initiated rezone and text amendments to amend the Town Center (TC) Zoning District to allow greater zoning flexibility by establishing the new Downtown Core (DC) District of Queen Creek on approximately 70 acres located between S. Ellsworth Loop Rd. and S. Ellsworth Rd. from E. Victoria Lane to the intersection of S. Ellsworth Rd. and S. Ellsworth Loop Rd:

**RESULT:** Approved unanimously

**MOVER:** Council Member Brown

**SECONDER:** Council Member Oliphant

**AYES:** Barney, Benning, Brown, Oliphant, Turley, Hoffman

**ABSENT:** Wheatley

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 under #7 and were postponed may also be discussed at this time.

None.

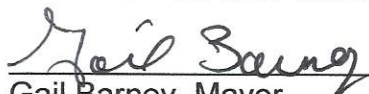
16. **Motion to Adjourn to Executive Session** The Council may reconvene the Executive Session for any of the items listed on the Executive Session Agenda.

None.

17. **Adjournment**

The meeting adjourned at 7:34pm.

TOWN OF QUEEN CREEK

  
Gail Barney, Mayor

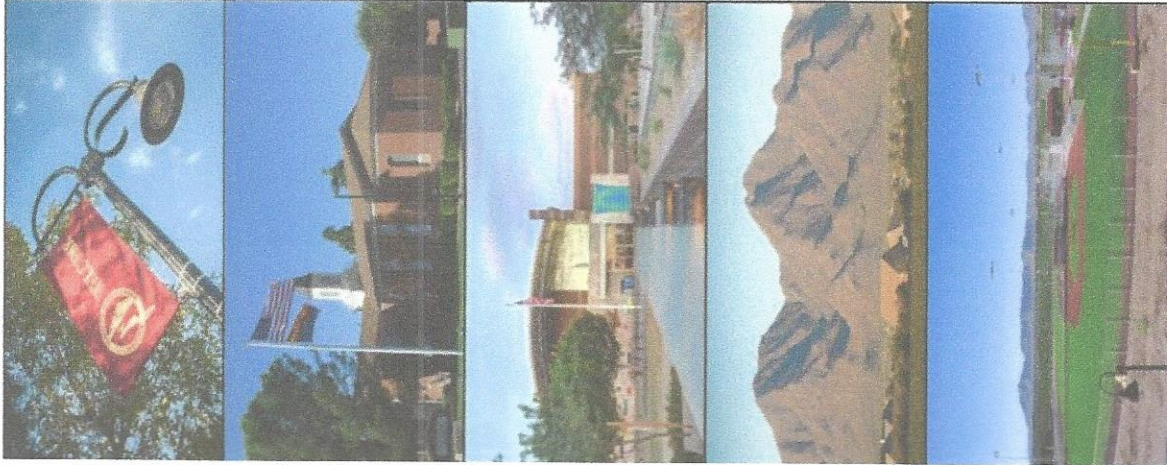
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ATTEST:

  
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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 November 7, 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 December 5, 2018



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

- 10/18 – Cadence at Gateway VIP Grand Opening Celebration (Turley, Wheatley)
- 10/19 – Spoke with ASU Master’s of Urban and Environmental Planning Students (Benning)
- 10/20 – Deseret Industries Dedication Ceremony (Barney, Turley)
- 10/20 – Trunk or Treat (Barney, Benning, Brown, Oliphant, Wheatley)
- 10/22 – Check-in with Supervisor Goodman (Barney, Brown, Turley)
- 10/23 – Spoke with Cub Scout Troop 325 (Oliphant)
- 10/24 – Rodeo Chrysler Dodge Jeep Ram Earnhardt Dealership Grand Opening (Brown, Oliphant, Turley, Wheatley)

## **Council Committee Reports (2)**

- 10/29 – EVTI Stakeholder Meeting (Turley)
- 10/29 – Dignity Health VIP Reception and Ribbon Cutting (Barney)
- 11/01 – East Valley Mayor's Luncheon (Barney)
- 11/02 – League Executive Committee Meeting (Barney)
- 11/06 – MAG Economic Development Meeting (Barney)

