



**Regular and Possible Executive Session**  
**Queen Creek Town Council**  
Community Chambers, 20727 E. Civic Parkway  
January 16, 2019  
5:30 PM

**1. Call to Order:**

The meeting was called to order at 5:35pm.

**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 – via telephone
Dawn Oliphant	Council Member	Present
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 in remembrance of Salt River Pima Police Officer Clayton Townsend and the recovery of MCSO Deputy Gomez (District 6 - Queen Creek).

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

A. Recognition of Banner Ironwood staff for funding of the QCFMD cook trailer.

Sharon Lind, Banner Ironwood/Banner Goldfield Medical Centers CEO, representing staff at Banner Ironwood, accepted recognition for the donating funds for the construction of a cook trailer to be used by the Queen Creek Fire & Medical Department for special events.

B. Swearing-In of Mayor Elect Barney and Council Members Elect Dawn Oliphant, Emilena Turley and Julia Wheatley by Honorable Judge Sam Goodman.

Honorable Judge Sam Goodman gave the oath of office to Mayor Barney, Council Member Oliphant, Council Member Wheatley and Council Member Turley.

**Queen Creek Town Council**

**January 16, 2019**

**Page 2**

C. Remarks by Mayor Barney and Council Members.

Mayor Barney thanked his family and the community for allowing him to serve another four years.

Council Member Wheatley stated she loved serving the community and looks forward to the next four years and how the Town grows.

Council Member Turley thanked all, especially her family for continued support. She also commented on the privilege of serving as an elected official.

Council Member Oliphant thanked everyone who supported her through each election. She encouraged the community to continue reaching out to the Council and is looking forward to serving for another four years.

D. Reception

The meeting was recessed from 6 - 6:30pm.

**6. 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'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)
- B. 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)
- C. 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 the pending lawsuit(s): 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 attorney and representatives to consider the Town's position and instruct its representatives regarding a potential utility interconnection agreement with EPCOR as interim manager of Johnson Utilities Company. A.R.S. 38-431.03(A)(3) & (4)
- E. Discussion and consultation with the Town's attorney and with the Town's representatives to consider the Town's position and instruct its representatives regarding the acquisition of real property for future Fire Station #5. A.R.S. 38-431.03(A)(3),(4) & (7)
- F. Discussion and consultation with the Town's attorney and with the Town's representatives to consider the Town's position and instruct its representatives regarding water meter credits. A.R.S. 38-431.03(A)(3) & (4)

(See Agenda Item # 16)

**7. 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**



**Queen Creek Town Council**

**January 16, 2019**

**Page 3**

any item for separate discussion and consideration. (Items that the Council wishes to discuss may be considered under #11).

<b>MOTION:</b>	<b>To approve the Consent Agenda A-F:</b>
<b>RESULT:</b>	<b>Approved Unanimously</b>
<b>MOVER:</b>	Council Member Wheatley
<b>SECONDER:</b>	Council Member Oliphant
<b>AYES:</b>	Barney, Wheatley, Benning, Brown, Oliphant, Turley, Hoffman

- A. Consideration and possible approval of the December 5, 2018 Regular Session Minutes.
  - B. Consideration and possible approval of Expenditures over \$25,000. (FY19 budgeted items)
    - 1. Public Trust Advisors, LLC - investment management services: \$30,000 (Finance)
    - 2. Dickinson Wright, PLLC - legal services: \$250,000 (Utilities)
    - 3. AOT - printer fleet lease/support: \$45,000 (Workforce & Technology)
  - C. Consideration and possible approval of a Professional Services Contract with Willdan Financial Services in an amount not to exceed \$30,000 to complete a biennial audit of the Town's impact fee program covering fiscal years 2016-17 and 2017-18. (Budgeted in FY18/19)
  - D. Consideration and possible approval of a one year Synnex contract with up to four possible one-year renewals for network hardware and cabling purchases, network support, network monitoring, Information Technology project management, and various additional ongoing Information Technology needs.
  - E. Consideration and possible approval of Council committee assignments for 2019.
  - F. Consideration and possible approval of Resolution 1250-19 of the Common Council of the Town of Queen Creek, Arizona, authorizing the Town Manager and Town Attorneys to file an amicus curiae brief with the Arizona Court of Appeals, and any other courts, regarding Vangilder v. Arizona Department of Revenue, supporting the passage of the Pinal County Regional Transit Plan and associated funding for the plan.
8. **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 and update on Phoenix-Mesa Gateway Airport by Brian J. O'Neill, Executive Director.

Brian O'Neill, PMGA Executive Director, provided an update on the airport's commercial service and private enterprise activities. Mr. O'Neill's update included the announcement by Allegiant Airlines of two new routes; several new developments including Gateway Executive Park; Skybridge; Hangar 37; Hangar 18

**Queen Creek Town Council**

**January 16, 2019**

**Page 4**

and the Able Engineering expansion. In addition, the airport is planning renovations to the FBO facility to accommodate the new development. Mr. O'Neill also discussed the cargo processing program and completion of runway improvements. A report on community noise complaints was also presented.

Vice Mayor Turley requested to reconsider a previous vote on the Consent Agenda Item F.

<b>MOTION:</b>	<b>To suspend the rules:</b>
<b>RESULT:</b>	<b>Approved Unanimously</b>
<b>MOVER:</b>	Council Member Brown
<b>SECONDER:</b>	Vice Mayor Turley
<b>AYES:</b>	Barney, Wheatley, Benning, Brown, Oliphant, Turley, Hoffman

<b>MOTION:</b>	<b>To approve Consent Agenda Item F:</b>
<b>RESULT:</b>	<b>Approved 5-2</b>
<b>MOVER:</b>	Council Member Brown
<b>SECONDER:</b>	Council Member Wheatley
<b>AYES:</b>	Barney, Wheatley, Benning, Brown, Oliphant
<b>NAYES:</b>	Hoffman, Turley

B. Presentation and discussion regarding the status of updating impact and capacity fees.

Mayor Barney declared a conflict and turned the meeting over to Vice Mayor Turley.

Finance Director McCarty provided a status report on updating the current impact and capacity fees. He reviewed recent Council actions that include the funding of the Transportation Infrastructure Improvement Plan (TIIP) and public safety projects by issuing \$75M in bond debt; reconciled impact fee cash balances; and approved a public safety funding policy; water extinguishment credit purchase and water rights purchase.

Mr. McCarty discussed the next policies to be considered: a new revenue credit offset (develop a credit fee to offset impact and capacity fees) and addressing



effluent water costs; combining the water and wastewater divisions into one; and restructuring existing water debt and establishing a repair and replacement reserve.

Mr. McCarty reviewed the schedule of future meetings for additional Council direction; stakeholder meetings and public notice requirements. Mr. McCarty added that the anticipated effective date of new fees is January 2020.

Mayor Barney returned to the dais.

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 report.

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

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>	Vice Mayor Turley
<b>SECONDER:</b>	Council Member Brown
<b>AYES:</b>	Barney, Wheatley, Benning, Brown, Oliphant, Turley, Hoffman

- A. Public hearing for annexation case P18-0167 "Ranchos Legante Annexation", a proposed annexation of Maricopa County parcels totaling approximately 71.79 acres, generally located at the southwest corner of Ellsworth and Riggs Roads.
- B. 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 February 6, 2019 has been requested)

**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 appointment of Council Member Robin Benning to serve as Vice Mayor for a term ending January 2020.

Mayor Barney discussed the duties of Vice Mayor and thanked Council Member Turley for her outstanding service during 2018 as Vice Mayor. Mayor Barney then discussed Council Member Benning's tenure on the Council and being a regional representative for many years and nominated him to serve as the Vice Mayor for 2019.

Council Member Turley thanked the Council for the privilege of serving as Vice Mayor and that she had enjoyed the past year and congratulated Vice Mayor Benning.

Vice Mayor Benning thanked the Council for their trust in him to continue serving the community as Vice Mayor.



**MOTION:** To appoint Council Member Benning to serve as Vice Mayor for the year 2019:  
**RESULT:** Approved unanimously  
**MOVER:** Mayor Barney  
**SECONDER:** Council Member Brown  
**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.

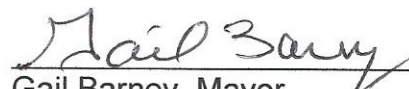
**16. Motion to Adjourn to Executive Session** The Council may reconvene the Executive Session for any of the items listed on the Executive Session Agenda.

**MOTION:** To adjourn to Executive Session at 7:06pm:  
**RESULT:** Approved unanimously  
**MOVER:** Council Member Turley  
**SECONDER:** Council Member Wheatley  
**AYES:** Barney, Wheatley, Benning, Brown, Oliphant, Turley, Hoffman

**17. Adjournment**

The Regular Session reconvened and adjourned at 8:20 p.m.

TOWN OF QUEEN CREEK

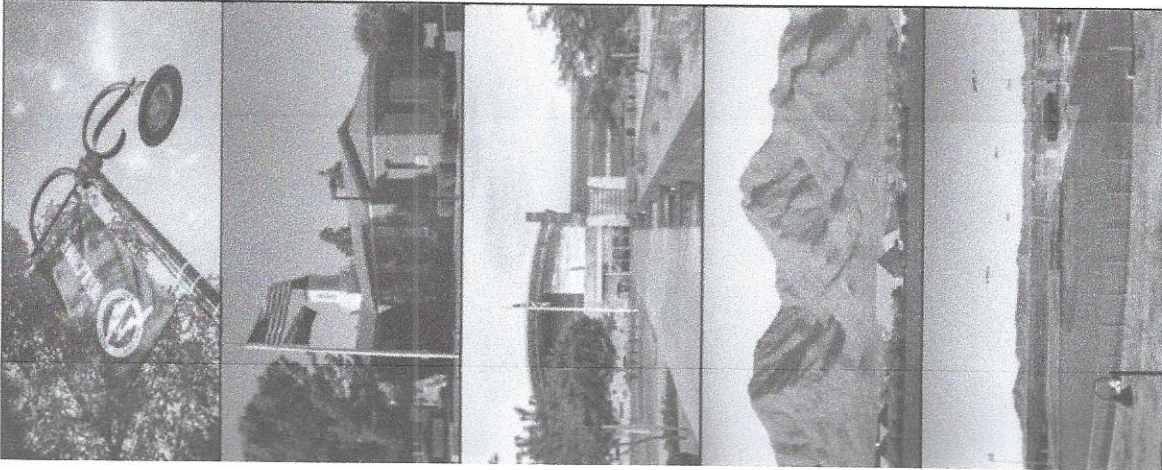
  
\_\_\_\_\_  
Gail Barney, Mayor

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 January 16, 2019 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 February 6, 2019



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

- 12/16 – Meeting with Molly Jacobs, Executive Director of QC Performing Arts Center (Brown, Wheatley)
- 12/18 – Phoenix-Mesa Gateway Board Meeting (Barney)
- 12/19 – Meeting with W. Holdings (Brown, Wheatley)
- 1/4 – East Valley Mayor’s Meeting with Senator McSally (Barney)
- 1/7 – Arizona Governor Inauguration Ceremony (Barney)
- 1/8 – MAG Economic Development Committee Meeting (Barney)
- 1/8 – League Budget Subcommittee Meeting (Barney)
- 1/8 – Impact Fee Status Meeting with Town Manager John Kross (Benning, Brown, Wheatley)
- 1/8 – ACC Inauguration Ceremony (Hoffman, Turley)
- 1/8 – Agenda Review Meeting with Town Manager John Kross (Hoffman, Turley)
- 1/8 – Gilbert Town Council 2019 Inauguration Ceremony (Benning, Turley)
- 1/9 – QCUSD Strategic Planning Session (Turley)





## Council Committee Reports (2)

- 1/10 – East Valley Mayor’s Luncheon (Barney)
- 1/10 – Meeting with Trilogy at Power Ranch Foundation (Benning)
- 1/10 – Mesa City Council Swearing-In Ceremony (Benning)
- 1/11 – 2019 Legislative Forecast Luncheon (Barney, Benning, Brown)
- 1/11 – League Nominating Committee Meeting (Barney)
- 1/11 – Queen Creek Performing Arts Center New Lobby Ribbon Cutting Event (Barney, Benning, Oliphant, Wheatley)
- 1/12 – Queen Creek Performing Arts Center New Lobby Open House Event (Barney, Benning, Wheatley)
- 1/14 – Meeting with Supervisor Goodman to coordinate volunteerism and community involvement (Barney)
- 1/14 – Arizona State of the State Address (Barney, Hoffman, Turley)
- 1/15 – Phoenix-Mesa Gateway Board Meeting (Barney)
- 1/15 – Apache Junction City Council Swearing-In Ceremony (Brown)
- 1/16 – East Valley Breakfast with the Governor (Barney, Benning, Oliphant, Wheatley)