



Regular and Possible Executive Session
Queen Creek Town Council
Community Chambers, 20727 E. Civic Parkway
September 18, 2019
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)

Gail Barney	Mayor	Present
Robin Benning	Vice Mayor	Present
Jeff Brown	Council Member	Present
Jake Hoffman	Council Member	Present – arrived at 5:42 p.m.
Dawn Oliphant	Council Member	Present
Emilena Turley	Council Member	Present
Julia Wheatley	Council Member	Present

3. Pledge of Allegiance:

Led by Mayor Barney.

4. Invocation/Moment of Silence:

A moment of silence was held in recognition of all men and women in uniform, especially the Queen Creek Fire & Medical Department and MCSO Officers.

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

A. Proclamation - Suicide Prevention Awareness Month

On behalf of Mayor Barney, Council Member Oliphant read the proclamation.

B. Proclamation - Speak Up, Stand Up, Save a Life Month

On behalf of Mayor Barney, Council Member Wheatley read the proclamation.

C. Recognition of retiring Town Clerk Jennifer Robinson

Mayor Barney recognized retiring Town Clerk, Jennifer Robinson as the Town's longest tenured employee. In honor of her 24 years of service to the Town of Queen Creek, Mayor

Barney read a proclamation designating September 18, 2019 as Jennifer Robinson Day in Queen Creek, and presented her with a "Key to the Town."

D. Reception

The meeting was recessed from 6:30 - 6:40 p.m.

6. 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)

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

A. Queen Creek Chamber of Commerce FY19 Annual Report

Queen Creek Chamber of Commerce President/CEO Chris Clark provided a brief Annual Review that included status updates from the FY14 Camper Report, changes to the membership tiers, current major events, new opportunities, current initiatives and advocacy plans.

B. Queen Creek Performing Arts Center FY19 Annual Report

Queen Creek Performing Arts Center's Director Molly Jacobs presented an Annual Review of the activities and programming (past and future), statistics and demographics, and social media efforts.

C. Transportation Advisory Committee Report - August 29, 2019

Committee Chair Spencer Hale provided a brief update on State Route 24, the Capital Improvement Plan and status of projects, Prop 400 extension, the warranting of signalization of intersections, and the committee's FY 2020 Draft Work Plan to be adopted at the November 14, 2019 TAC meeting.

- 7. 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.

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

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- A. Discussion and consultation with the Town's attorneys for legal advice and with the Town's attorneys and Town's representatives relating to development impact fees and non-residential uses. A.R.S. 38-431.03(A)(3)
- 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'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 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)
- E. Discussion and consultation with the Town's attorney for legal advice and with the Town's attorney and Town's representatives regarding potential water rights acquisition. 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's attorney and Town's representatives regarding the acquisition of the Davidson Well. A.R.S. 38-431.03(A)(3) & (4)

MOTION:	To adjourn to Executive Session at 7:06 p.m.
RESULT:	Approved unanimously (7-0)
MOVER:	Julia Wheatley, Council Member
SECONDER:	Emilena Turley, Council Member
AYES:	Barney, Wheatley, Benning, Brown, Oliphant, Turley, Hoffman

Regular Session reconvened at 7:58 p.m.

9. 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.*

- A. Consideration and Possible Approval of Expenditures Over \$25,000. (FY20 Budgeted Items)
 - 1. L.N. Curtis & Sons - Personal Protective Equipment: \$301,614 (Fire & Medical)
 - 2. Dana Kepner - Meters, MXU's and Fittings: \$78,409 (Utilities)

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- B. Consideration and possible approval of the appointment of Jenna Kahl and the reappointment of Steve Sossaman, Carson Brown, Lee Ester, Chris Clark, Mark Schnepf, Perry Rea, Derek Neighbors and Jason Barney to the Economic Development Commission.
- C. Consideration and possible approval of a power distribution easement to be granted to Salt River Project in sections 25 and 36, Township 2 South, Range 7 East, along Rittenhouse Road north and South of Riggs/ Combs Road.
- D. Consideration and possible approval of the granting of an easement to the United States Bureau of Reclamation to replace a relocated easement due to the Riggs Road from Ellsworth Road to Meridian Road project.
- E. Consideration and possible approval authorizing the Town Manager and Town Attorney to negotiate and enter into an Intergovernmental Agreement with Valley Metro to conduct a study of Senior Citizens and Americans with Disabilities Act-eligible individuals whom are Queen Creek residents and would utilize a paratransit or RideChoice program, in an amount not to exceed \$50,000 through the use of Arizona Lottery Funds (ALF).
- F. Consideration and possible approval of an Intergovernmental Agreement with the City of Mesa for 911 Dispatch and Technical Services.
- G. Consideration and possible approval of the Cooperative Purchase Agreement for the acquisition of a new fire apparatus in the amount of \$739,952 with Hughes Fire Equipment, Inc. through the Fire Rescue GPO / NPPGov Contract. (FY20 budgeted Item)
- H. Consideration and possible approval to adopt the 2019 Water Repair and Replacement Master Plan.
- I. Consideration and possible approval of Resolution 1287-19 and the Agreement to Purchase Extinguishment Credits with Beazer Homes Holdings, LLC in an amount not to exceed \$116,004. (FY20 Budgeted Item)
- J. Consideration and possible approval of Resolution 1289-19 of the Mayor and Common Council of the Town of Queen Creek, Arizona, declaring a 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 and/or personal property located along Ocotillo Road in sections 17, and 20, township 2 south, range 7 east, from owners and Maricopa assessor parcels listed on exhibit A attached hereto and their successors in interest through gift, purchase, or eminent domain and identifying the real and personal property as necessary for roadway improvements for the Ocotillo Road: Sossaman Road to Hawes Road Project (A0116).

- K. Consideration and possible approval of Resolution 1290-19 of the Mayor and Common Council of the Town of Queen Creek, Arizona, declaring a 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 and/or personal property located along Meridian Road in sections 17, 12, 13, 18, 19, 24, 25, 30, and 31, township 2 south, range 7 east and range 8 east, from owners and Maricopa assessor parcels listed on exhibit A attached hereto and their successors in interest through gift, purchase, or eminent domain and identifying the real and personal property as necessary for roadway improvements for the Meridian Road: Combs Road to Germann Road Project (A1505).
- L. Discussion and possible approval of Resolution 1291-19 approving the Pre-Annexation Development Agreement between the Town and Riggs Ellsworth 40, LLC and JMN Riggs 40, LLC.
- M. Consideration and possible approval of Ordinance 709-19 (Case P19-0044) "NEC Ellsworth & Riggs Annexation", a proposed annexation of one Maricopa County parcel totaling approximately 36 acres, located at the northeast corner of Ellsworth and Riggs Roads.

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

10. Items for Discussion: *These items are for Council discussion only and no action will be taken. In general, no public comment will be taken.*

- A. Presentation on community policing.

Mayor Barney invoked the Chair's privilege and moved this item ahead of Ceremonial Matters (Item 5).

Town Manager John Kross gave introductory remarks and introduced police consultants Rich Hendrix and Jim Keith, whom then provided a presentation regarding community policing comprised of three key components of Community Partnerships, Organizational Transformation, and Problem Solving to actively promote strategies that build, strengthen and maintain sustainable relationships with community partners.

The community oriented policing outcomes discussed were public trust, transparency, citizens accepting responsibility for their own peace and safety, leverage partnership resources, and enhanced quality of life.

The data analysis and development of options are in progress and a final report will be presented to the Council at the December 4, 2019 meeting.

B. Discussion on P19-0046 Zoning Ordinance Text Amendment, Article 7 Signage.

Principal Planner Erik Swanson provided a brief presentation regarding proposed amendments related to signage, specifically banners and temporary signs (e.g. open house / garage sale, "A-Frame," and development / residential subdivision) to be in compliance with Supreme Court Ruling and reflect common practices. Feedback was solicited from various stakeholders. He noted the ongoing project received a unanimous (7-0) approval from the Planning Commission on September 11, 2019. Following the Council's feedback, this item would return to the Council on October 16, 2019 for possible action.

Discussion ensued and direction was given to staff to increase the location ability of residential yard signs and to extend the area that signs can be located out to the nearest arterial. The Council was complimentary on efforts made by staff, stakeholders and the Planning & Zoning Commission

C. Presentation on North/South Corridor Study Update.

Town Manager John Kross reported that the Town received notification from the Arizona Department of Transportation (ADOT) about the Draft Environmental Impact Study (EIS) published on the Federal Register, triggering a 45-day public comment period.

Deputy Public Works Director Mohamed Youssef reported that ADOT published the Tier 1 EIS Draft report on the North/South corridor (1300 ft wide corridor from Eloy to US60/Apache Junction). The selected corridor is of concern as the proposed alignment differs from what was incorporated into the Pinal Regional Transportation Authority (PRTA) plan approved by the voters in 2017, and does not provide a reasonable benefit to the voters that approved the funding mechanism (PRTA tax).

Staff recommends ADOT wait for 2020 census to be completed to see growth in population, employment, etc. Additionally, studies such as the San Tan Valley Special Area plan approved in 2018 by the Maricopa Association of Governments did not appear to be considered albeit San Tan Valley's anticipated growth in population by 54% over the next 34 years.

From the Tier 1 EIS Statement, the population & employment projections in 2015 and 2040 indicate almost no change, and the anticipated N/S corridor is planned for the center of this area versus the once chosen by Queen Creek and partner agencies. The Council expressed their extreme disappointment and discussion ensued regarding public education efforts for awareness, knowledge and action from the community, its leaders and partner agencies to advocate against ADOT's proposed corridor.

11. Public Hearing Consent Agenda: *Matters listed under the Public Hearing Consent Agenda are considered to be routine and will be enacted by one motion and one vote. If you wish to speak to the Council on an item listed on the Public Hearing Consent Agenda, 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 and possible action on P16-0041 "NEC Ellsworth & Riggs Rezone (Ordinance 710-19)", a request from Alan Beaudoin of Norris Design to rezone approximately 19.6 acres from C-1 and R1-35 to C-2 for a future commercial development at the northeast corner of Ellsworth and Riggs Roads.

The Public Hearing was opened.

Mr. Robert and Debbie Schneider, 21209 E Vallejo Street, noted their opposition and expressed their concerns and the effects that rezoning to commercial / high-density would have on their property.

The Public Hearing was closed.

Sr. Planner Sarah Clark presented on the project, its location and history. Discussion ensued regarding property rights, continued growth of the Town, and the needs of the residents.

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

12. 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 and possible action on P19-0049/P19-0066 Spur Cross PAD Amendment, Ordinance 711-19 a request for Rezoning and Site Plan approval to adjust the overall acreage of components within the Spur Cross master planned community by eliminating 33 acres of R1-4 zoning district, increasing the R1-5 zoning district from 98 acres to 120 acres, reducing the C-1 zoning district acreage from 15 acres to 6 acres, and creating a 20 acre parcel of MDR zoning district for property located at the northeast corner of Ocotillo and Signal Butte Roads.

Vice Mayor Benning declared a conflict of interest and recused himself.

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

Principal Planner Erik Swanson presented on the rezoning and site plan, adjusting the overall acreage of components within the Spur Cross master planned community located at the NEC of Ocotillo and Signal Butte Roads.

MOTION:	To approve Ordinance 711-19 (P19-0049/P19-0066 Spur Cross PAD Amendment)
RESULT:	Approved unanimously (6-0)
MOVER:	Jake Hoffman, Council Member
SECONDER:	Dawn Oliphant, Council Member
AYES:	Barney, Wheatley, Brown, Oliphant, Turley, Hoffman
AWAY:	Benning

13. **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.*

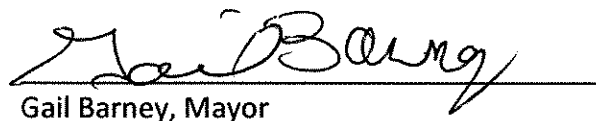
None.

Executive Session reconvened at 9:32 p.m.

14. **Adjournment**

The Regular Session reconvened and adjourned at 10:40 p.m.

TOWN OF QUEEN CREEK


Gail Barney, Mayor

ATTEST:


Maria E. Gonzalez, Town Clerk

I, Maria E. Gonzalez, 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 18, 2019 Regular Session of the Queen Creek Town Council. I further certify that the meeting was duly called and that a quorum was present.

Principal Planner Erik Swanson presented on the rezoning and site plan, adjusting the overall acreage of components within the Spur Cross master planned community located at the NEC of Ocotillo and Signal Butte Roads.

MOTION:	To approve Ordinance 711-19 (P19-0049/P19-0066 Spur Cross PAD Amendment)
RESULT:	Approved unanimously (6-0)
MOVER:	Jake Hoffman, Council Member
SECONDER:	Dawn Oliphant, Council Member
AYES:	Barney, Wheatley, Brown, Oliphant, Turley, Hoffman
AWAY:	Benning

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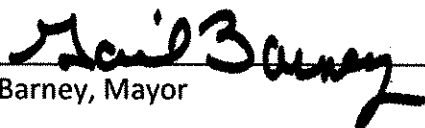
None.

Executive Session reconvened at 9:32 p.m.

14. **Adjournment**

The Regular Session reconvened and adjourned at 10:40 p.m.

TOWN OF QUEEN CREEK



Gail Barney, Mayor

ATTEST:



Maria E. Gonzalez, Town Clerk

I, Maria E. Gonzalez, 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 18, 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 November 6, 2019.



Council Committee Reports (1)

- 09/05 – EVP Board of Directors Meeting (Hoffman)
- 09/09 – Gateway / Northern Pinal Area Alliance of Governments (Barney)
- 09/10 – Text Amendment Briefing with Deputy Town Manager Bruce Gardner (Hoffman)
- 09/10 – Agenda Briefing with Deputy Town Manager Bruce Gardner (Hoffman, Turley)
- 09/10 – 2019 PSRA Phoenix Copper Anvil Awards Ceremony (Barney)
- 09/10 – QCUSD PAC Meeting (Benning, Wheatley)
- 09/11 – Youth Advisory Committee Discussion (Brown, Wheatley)
- 09/11 – All First Responders Luncheon (Barney, Benning, Brown, Turley)
- 09/11 – Town of Gilbert 9/11 Memorial Ceremony (Hoffman)
- 09/12 – CUSD Bond Election Informational Breakfast (Benning)
- 09/12 – Retirement Celebration Honoring Town Clerk Jennifer Robinson (Barney, Benning, Oliphant, Turley, Wheatley)
- 09/12 – Citizen Leadership 2020 Class Kick-off (Barney, Wheatley)
- 09/14 – Roots N’ Boots Kick-Off Dinner and Show (Barney, Benning, Wheatley)
- 09/16 – MAG Regional Council Executive Committee Meeting (Barney)
- 09/16 – Charleston Estates Neighborhood Meeting (Brown)
- 09/17 – Impact Fee Meeting with Town Manager John Kross (Oliphant)



Council Committee Reports (2)

- 09/17 – Phoenix-Mesa Gateway Board Meeting (Barney)
- 09/18 – MAG Transportation Policy Committee (Barney)