



**Regular and Possible Executive Session**  
**Queen Creek Town Council**  
Community Chambers, 20727 E. Civic Parkway  
December 4, 2019  
5:30 PM

**1. Call to Order:**

**2. Roll Call: (one or more members of the Council may participate by telephone)**

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|----------------|----------------|---------|
| Gail Barney    | Mayor          | Present |
| Robin Benning  | Vice Mayor     | Present |
| Jeff Brown     | Council Member | Present |
| Jake Hoffman   | Council Member | Present |
| Dawn Oliphant  | Council Member | Present |
| Emilena Turley | Council Member | Present |
| Julia Wheatley | Council Member | Present |

*Note: Due to technical difficulties with the audio, Councilman Hoffman was not heard during Roll Call, but was confirmed to be on the telephone until arriving for the Executive Session.*

**3. Pledge of Allegiance:**

Led by Mayor Barney.

**4. Invocation/Moment of Silence:**

A moment of silence was held for all of the men and women in uniform who are making sure we have a safe place to live. This includes our own Queen Creek Fire and Medical department and all of the local MCSO officers.

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

None.

**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 report.*

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

None.

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.*

The following spoke on safety concerns and proposed signage for equestrians riding along Riggs Road and/or near Horseshoe Park & Equestrian Center.

- Hanna Garman, 2235 E. Andalusion Loop
- Leslie Brekke, 17623 E. Regal Drive
- Sarah Brewer, 25306 S. Hawes Road (a hand-drawn map was submitted and is on file with the Town Clerk)
- Lynn Leatherdale, 17522 E Chestnut Drive (a copy of signage was submitted and is on file with the Town Clerk)

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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| <b>MOTION:</b>   | <b>To adjourn into Executive Session at 5:41 p.m.</b>       |
| <b>RESULT:</b>   | <b>Approved unanimously (7-0)</b>                           |
| <b>MOVER:</b>    | Emilena Turley, Council Member                              |
| <b>SECONDER:</b> | Robin Benning, Vice Mayor                                   |
| <b>AYES:</b>     | 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 Town's 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)
- B. 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 agreements. 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 Town's representatives regarding a land use inventory study. 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 Riggs Road and the Sonoqui Wash trails. A.R.S. 38-431.03(A)(3)

- E. Discussion and consultation with the Town's attorney for legal advice and with the Town's attorney and Town's representatives to consider the Town's position and instruct its attorneys regarding a pending lawsuit: Encanterra Residents Against Annexation vs. Town of Queen Creek. 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 Town's contract with Maricopa County on behalf of the Sheriff's Office. A.R.S. 38-431.03(A)(2), (3) & (4)

The Regular Session reconvened at 6:00 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.*

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| <b>MOTION:</b>   | <b>To approve the Consent Agenda; Items 9A, B &amp; C</b>   |
| <b>RESULT:</b>   | <b>Approved unanimously (7-0)</b>                           |
| <b>MOVER:</b>    | Dawn Oliphant, Council Member                               |
| <b>SECONDER:</b> | Robin Benning, Vice Mayor                                   |
| <b>AYES:</b>     | Barney, Wheatley, Benning, Brown, Oliphant, Turley, Hoffman |

- A. Consideration and possible approval of Expenditures Over \$25,000. (Budgeted in FY2020)
  - 1. Instrumentation & Controls - Endress+Hauser Well Equipment: \$150,000 (Utilities)
  - 2. Vertech - SCADA Support Services: \$200,000 (Utilities)
- B. Consideration and possible approval of two Vehicular Access Easements to be granted to the Zatkan property on Chandler Heights Road at the Sonoqui Wash crossing.
- C. Consideration and possible approval of a Job Order with B&F Contracting, Inc. in an amount not to exceed \$94,502 for the construction of an Odor Control Station located at Fulton Parkway and Hawes Road (WW059) (FY20 Budgeted Item).

**Items Pulled from Consent Agenda for separate discussion and/or presentation:**

- D. Consideration and possible approval of an amendment to Delegation Resolution 1280-19 for the Rittenhouse Road project in an amount not to exceed \$2,000,000 for construction contracts associated with the Rittenhouse Road Bridge Replacement project A0307 (FY 2019/20 CIP Contingency) and all associated budget transfers.

Public Works Director Troy White discussed the timing and schedule of the Rittenhouse Road and Bridge projects. He noted the Rittenhouse Road project is underway with an anticipated completion date of December 2020. The Rittenhouse Bridge project will begin

in January 2020 with an anticipated completion date of September 2020; however, the Meridian Road will be open by April 1, 2020 just before the road closure on Rittenhouse Road for the Bridge project, overlapping with school summer recess.

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| <b>MOTION:</b>   | <b>To approve an amendment to Delegation Resolution 1280-19 for the Rittenhouse Road project in an amount not to exceed \$2,000,000 for construction contracts associated with the Rittenhouse Road Bridge Replacement project A0307 (FY 2019/20 CIP Contingency) and all associated budget transfers.</b> |
| <b>RESULT:</b>   | <b>Approved unanimously (7-0)</b>  |
| <b>MOVER:</b>    | <b>Robin Benning, Vice Mayor</b>   |
| <b>SECONDER:</b> | <b>Jake Hoffman, Council Member</b>  |
| <b>AYES:</b>     | <b>Barney, Wheatley, Benning, Brown, Oliphant, Turley, Hoffman</b>   |

**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 and Discussion on the Town of Queen Creek Police Services Study. (40:24)**

Town Manager John Kross introduced the Police Services Study as a follow up from the Council’s annual Strategic Planning Session held in 2018 and 2019. He noted growth as the primary driving factor affecting police services and most importantly, “not intended to be a reflection of the service provided by District 6 staff”. Town Manager Kross acknowledged staff's efforts and thanked the team with special acknowledgement to Tracy Corman for leading the project.

Assistant to the Town Manager Tracy Corman thanked Captain Lugo for his participation in the study. She provided an overview of the report, presented a brief history of law enforcement in the Town, then introduced consultants Rich Hendrix and Jim Keith. Consultant Keith discussed expectations and desired outcomes for Town Law Enforcement Services, addressing Community Oriented and Intelligence Led Policing. Consultant Hendrix spoke on law enforcement options reviewed; 1) contract w/ another municipality; 2) continue the contract w/ MCSO noting several issues; and 3) creating a Queen Creek Municipal Police Department.

Town Manager Kross presented the financial considerations referencing a chart of the 5-Year Financial Plan for a Queen Creek Police Department. He noted 1) the plan does not require new taxes or revenue sources, and that it can be maintained within the Town's current revenue projections; 2) indicated that although the study reports \$825,000 in estimated total impacts to other Town departments, \$100,000 is one time cost, and \$350,000 is for positions already included in the Town’s 5-year financial plan; 3) the 5-

year MCSO contract projections do not account for increases in wages or administrative fees, or the current financial impacts to other departments.

Mayor Barney thanked the deputies and Captain Lugo and emphasized that the study is not a reflection of the current officers, and commended Captain Lugo for all his efforts. Discussion was held regarding the organization of a successful recruitment plan, access to specialty units such as SWAT and K-9, anticipated changes in the communication structure, the federal oversight MCSO is under vs. a Town Police Department, expectations of service with the growth of the community, impact to School Resource Officers.

Town Manager Kross noted MCSO's challenge due to national policing trends, recruitment and overall resources by what is funded by the government. The timeliness of responses has been addressed annually with a 5-year plan presented with expectations based on growth and other dynamics in order to get staffing necessary for the community, and MCSO is currently thirteen officers down in District 6. Council noted that timing is appropriate with the Town's growth and pushing a decision out to the future will end up costing the Town more to accomplish. The Council thanked everyone that participated in the production of the study and concurred that this study is not a reflection of the District 6 Captain and his officers.

Town Manager Kross reiterated this item was discussion only; however, contemplating Council engage the various stakeholders and recommended public engagement for 60-days, with the business, faith based, educational and health care groups to reach a higher percentage of the community. Director of Communications & Marketing Marnie Schubert presented the Council with a menu of options for public outreach opportunities to occur simultaneously within a 60-day timeline. Council appreciated the idea of public input from Town residents with a consensus to move forward with all of the options presented for public outreach, ensuring responses recorded/received are from Town residents. Mayor Barney thanked the Council for their comments and closed the discussion noting that public safety is of great concern.

**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 Case P19-0210 "Expanding General Plan Planning Area Boundary (Resolution 1297-19)", a request by Fulton Homes to expand the Town's General Plan Planning Boundary for approximately 180 acres of land located approximately 3,860 feet west of the southwest corner of Gary Road and Empire Boulevard, immediately adjacent to the existing Morning Sun Farms community.

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

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| <b>MOTION:</b>   | To approve Case P19-0210 "Expanding General Plan Planning Area Boundary (Resolution 1297-19)" |
| <b>RESULT:</b>   | Approved unanimously (7-0)  |
| <b>MOVER:</b>    | Jake Hoffman, Council Member  |
| <b>SECONDER:</b> | Emilena Turley, Council Member  |
| <b>AYES:</b>     | Barney, Wheatley, Benning, 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.*

None.

**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.

The Mayor and Council reconvened to Executive Session at 7:28 p.m.

**14. Adjournment**

The Regular Session reconvened and adjourned at 9:15 p.m.

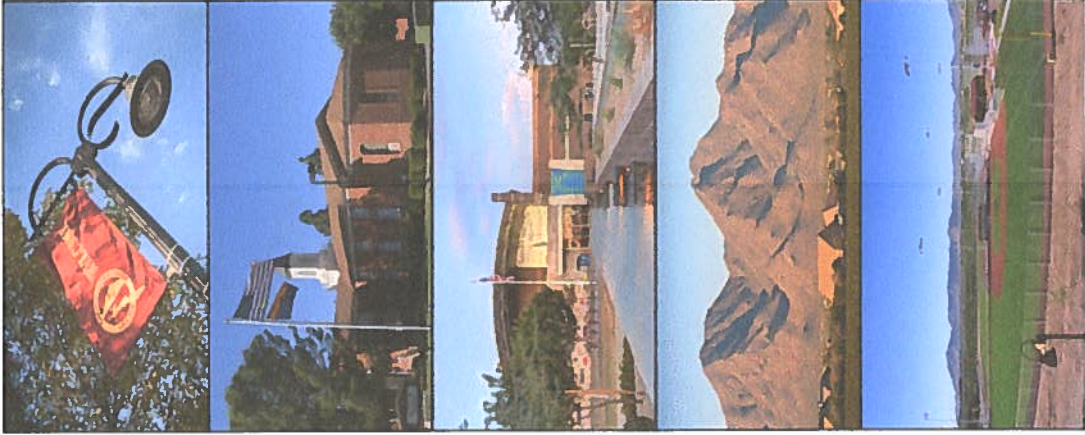
TOWN OF QUEEN CREEK  
PP   
Gail Barney, Mayor

ATTEST:

  
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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 December 4, 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 December 18, 2019.



## **Council Committee Reports**

- 11/21 – Quarterly Check-In with Supervisor Goodman (Brown, Wheatley)
- 11/22 – Meeting with Sheriff Penzone (Barney)
- 11/22 – 11/24 – Gilbert Days Rodeo (Benning)
- 11/26 – Christmas at Schnepf Farms Grand Opening Event (Barney, Brown, Oliphant, Turley, Wheatley)
- 12/02 – PSPRS Board Meeting (Barney)
- 12/02 – Check-In with Queen Creek and San Tan Valley PostMaster Kenneth Cobos (Barney)
- 12/03 – Meridian Road, Combs to Cherrywood Groundbreaking Ceremony (Barney, Benning, Brown, Oliphant, Wheatley)
- 12/04 – Women Leading Business (Brown)
- 12/04 – MAG Regional Council Meeting (Barney)