



**Regular Session Minutes
Queen Creek Town Council**

Community Chambers, 20727 E. Civic Parkway

May 20, 2020

6:30 PM

1. Call to Order:

The meeting was called to order at 6:30 pm.

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

Gail Barney	Mayor	Present via WebEx
Julia Wheatley	Vice Mayor	Present
Robin Benning	Council Member	Present
Jeff Brown	Council Member	Present via WebEx
Jake Hoffman	Council Member	Present
Dawn Oliphant	Council Member	Present via WebEx
Emilena Turley	Council Member	Absent

3. Pledge of Allegiance:

Led by Vice Mayor Wheatley.

4. Invocation/Moment of Silence:

Mayor Barney led a moment of silence 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, District 6 MCSO deputies and the doctors and nurses for their support during COVID-19.

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

A. 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)

Town Manager John Kross gave a brief update on the police department transition relative to the operating budget. He said changes have been recommended in the police department budget to recognize the economic situation due to COVID-19. Mr. Kross said the recommended changes will not impact the police department transition schedule or recruitment.

Mr. Kross said the operating budget shows a six percent increase and is composed of four major funds (General Fund; Highway User Revenue Fund (HURF); EMS/Public Safety Fund; and Horseshoe Park & Equestrian Centre Fund (HPEC). Mr. Kross recommended a \$7.2M reduction to the EMS/Public Safety budget which would be transferred into a contingency reserve outside of the operating budget. This will reduce expenses in the next twelve months and more accurately reflect the timing in which the expenses need to be incurred.

Finance Director Scott McCarty reviewed the recommended changes and said staff is seeking direction to incorporate this change into the tentative budget.

- Shift funds from the operating budget to the contingency reserve, reducing police department expenses by \$4.5M. Create a \$4.5M Police Department Contingency Reserve for FY20-21. Funds will be set aside to be used when needed with Council approval. The total budget does not change.
- The police department 18- month transition period will not change and key expenses in FY20-21 will still apply. There will be regular status reports throughout the transition.
- The recommended tentative operating budget would be revised to \$54.4M which reflects a \$0.9M decrease.

1. Budget Committee Report

Council Member Oliphant reported that the Budget Committee recommended approval to Town Council of the FY 20-21 Town Managers recommended budget of \$409.1M. She reported on highlights of the operating budget and the capital budgets. Council Member Oliphant said the tentative budget will be discussed with the full Council at the June 3, 2020 Council Meeting. The final budget will be adopted on June 17 and the property tax levy will be adopted on July 15.

Council Member Hoffman commented on the proactive and responsive approach to the budget and the response to COVID-19 by the Town of Queen Creek, Council and staff.

7. Public Comments: *Members of the public may address the Town Council on items not on the printed agenda and during Public Hearings. Please address the Town Council by sending an email to PublicComment@queencreek.org by 6:30 p.m. on May 20, 2020 (limited to 500 words – identify your name, address and whether you wish your comment to be read at the meeting or just submitted as part of the written record). The Town Council may not discuss or take action on any issue raised during public comment until a later meeting. Speakers are limited to three (3) minutes each. Only one comment (either by email or by WebEx) per person per Agenda Item will be allowed and comments without identifying name and address will not be read or submitted as part of the written record.*

There were no public comments received via email or WebEx.

8. 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 Town 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.*

Mayor Barney pulled Item E for a single vote and recused himself from that item.

MOTION:	To approve the Consent Agenda minus Item E.
RESULT:	Adopted unanimously. (6-0)
MOVER:	Robin Benning, Council Member
SECONDER:	Julia Wheatley, Vice Mayor
AYES:	Barney, Wheatley, Benning, Brown, Hoffman, Oliphant
ABSENT:	Turley

- A. Consideration and possible approval of the April 1, 2020 and April 15, 2020 Regular Session Minutes.
- B. Consideration and possible approval of a five-year contract with Heinfeld, Meech & Co., P.C., for impact fee auditing services in the amount of \$83,650.
- C. Consideration and possible approval of a five-year contract with CliftonLarsonAllen LLP for auditing services in the amount of \$315,000 and authorizing the Mayor and Town Manager to sign the Audit Engagement Letters for the Town's fiscal year 2019-20 financial audit.
- D. Consideration and possible approval of the "Final Plats" for Harvest Queen Creek Parcels 2-1 thru 2-3 and 3-1 thru 3-3, a request by Harvest QC LLC.
- E. Item E was moved to Pulled from Consent for Separate Action.

Queen Creek Town Council

Regular Session Minutes

May 20, 2020

Page 4 of 9

- F. Consideration and possible approval of Resolution 1341-20 designating the Town’s Finance Director as the Chief Fiscal Officer (CFO) for purposes of submitting the Town’s Annual Expenditure Limitation Report to the Auditor General for fiscal year 2020-21.

- G. Consideration and possible approval of Resolution 1333-20 creating Street Light Improvement District Number 106, (No. 2020-004 for Harvest Queen Creek Parcel 1-1); Resolution 1334-20 creating Street Light Improvement District Number 107, (No. 2020-005 for Harvest Queen Creek Parcel 1-2); Resolution 1335-20 creating Street Light Improvement District Number 108, (No. 2020-006 for Harvest Queen Creek Parcel 1-3); Resolution 1336-20 creating Street Light Improvement District Number 109, (No. 2020-007 for Harvest Queen Creek Parcel 1-4); Resolution 1337-20 creating Street Light Improvement District Number 110, (No. 2020-008 for Harvest Queen Creek Parcel 1-5); Resolution 1338-20 creating Street Light Improvement District Number 111, (No. 2020-009 for Harvest Queen Creek Parcel 1-6); and Resolution 1339-20 creating Street Light Improvement District Number 112, (No. 2020-010 for Harvest Queen Creek Parcel 1-7).

- H. Discussion and possible approval of Resolution 1325-20 creating Street Light Improvement District Number 105, (No. 2020-001 for Church Farm Parcel H); Resolution 1326-20 creating Street Light Improvement District Number 118, (No. 2020-002 for Church Farm Parcel F2); and Resolution 1327-20 creating Street Light Improvement District Number 119, (No. 2020-003 for Church Farm Parcel F3).

- I. Discussion and possible approval of Ordinance 727-20, Case P19-0218 Schnepf Farms Annexation, a proposed annexation of multiple parcels totaling approximately 99 acres, located at the northwest corner of Riggs and Rittenhouse roads.

- J. Discussion and possible approval of Ordinance 729-20, Case P18-0122 Empire Point, a proposed annexation of multiple parcels totaling approximately 195 acres, located at the northwest corner of Empire Boulevard and Gary Road.

Pulled from Consent for Separate Action:

MOTION:	To approve Consent Agenda Item E.
RESULT:	Adopted (5-0)
MOVER:	Jake Hoffman, Council Member
SECONDER:	Robin Benning, Council Member
AYES:	Wheatley, Benning, Brown, Hoffman, Oliphant
ABSENT:	Turley
ABSTAIN:	Barney

Queen Creek Town Council
Regular Session Minutes
May 20, 2020
Page 5 of 9

- E. Consideration and possible approval of the Final Plat for Town Parcel at Signal Butte, a parcel of Town-owned land on the northeast corner of Signal Butte Road and Queen Creek Road dedicating public street rights-of-way, utility, drainage and irrigation easements and land parcels pertaining to the construction of Fire Station No. 4 (CIP MF007) and Queen Creek Road and Signal Butte Road intersection improvements (CIP A1002) in an amount not to exceed \$4,650. (FY2020 Budgeted Item)

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

- A. None.

10. 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. Please address the Town Council on any of the items on the Public Hearing Consent Agenda by sending an email to PublicComment@queencreek.org (limited to 500 words – identify your name, address and whether you wish your comment to be read at the meeting or just submitted as part of the written record) or by WebEx (instructions at QueenCreek.org/WatchMeetings). Speakers are limited to three (3) minutes each. Only one comment (either by email or by WebEx) per person per Agenda Item will be allowed and comments without identifying name and address will not be read or submitted as part of the written record.*

The Mayor opened the public hearing. Assistant Town Manager Bruce Gardner read the following comment:

Jennifer Meyers, 901 E. Madison Street, Phoenix submitted a comment in support. She thanked the staff for all their assistance and efforts on the CUP/Site plan application. The Fry's fuel station will be a great addition to the future QC Commons Commercial Center.

MOTION:	To approve Public Hearing Consent Agenda.
RESULT:	Adopted unanimously. (6-0)
MOVER:	Jeff Brown, Council Member
SECONDER:	Jake Hoffman, Council Member
AYES:	Barney, Wheatley, Benning, Brown, Hoffman, Oliphant
ABSENT:	Turley

- A. Public Hearing and possible approval of P19-0162/P19-0235 Fry's Fuel Station Conditional Use Permit and Site Plan, a request from Alan Beaudoin of Norris Design for Conditional Use Permit and Site Plan approval for a fuel station and convenience store located in the future Fry's Marketplace commercial center at the northeast corner of Ellsworth and Riggs roads.

11. Public Hearings: *If you wish to speak to the Town Council on any of the items listed as a Public Hearing, please address the Town Council by sending an email to*

Queen Creek Town Council
Regular Session Minutes
May 20, 2020
Page 6 of 9

PublicComment@queencreek.org (limited to 500 words – identify your name, address and whether you wish your comment to be read at the meeting or just submitted as part of the written record) or by WebEx (instructions at QueenCreek.org/WatchMeetings). Speakers are limited to three (3) minutes each. Only one comment (either by email or by WebEx) per person per Agenda Item will be allowed and comments without identifying name and address will not be read or submitted as part of the written record.

- A. Public Hearing and possible approval of Ordinance 728-20, Case P19-0032 Schnepf Farms PAD Rezone, a request from Sean Lake, Pew and Lake PLC, on behalf of Mark Schnepf, for a PAD Rezone of approximately 225 acres from R1-43, R1-18, EMP-A and C-2 to Agritainment (AT)/PAD and C-2 (Commercial) to allow future development of the existing Schnepf Farms property, located at the northwest corner of Riggs and Rittenhouse roads.

Mayor Barney opened the public hearing. There were no public comments. The public hearing was closed.

Interim Planning Administrator Erik Swanson delivered a presentation and acknowledged Planner Kyle Barichello for his efforts on this project. Mr. Swanson remarked that this was a positive case to work on for all involved and it received unanimous approval from the Planning Commission.

Mr. Swanson said the request is to rezone approximately 225 acres to Agritainment/PAD and C-2 to allow for the continued operation and future development of Schnepf Farms. He said the recent annexation brought the remaining acreage of Schnepf Farms into the Town boundaries. He said this is a unique area of town and the rezone will support agriculture-oriented activities, allow flexibility and bring Schnepf Farms under one zoning designation.

Mr. Swanson discussed the Conceptual Master Plan that is consistent with the Agritainment theme and presented character images of existing and proposed uses.

Mr. Swanson briefly discussed public participation and neighborhood meeting schedules. Concerns regarding density were expressed by La Sentiero residents on the residential area near their community. Mr. Swanson said the applicant removed that component from the rezoning and all concerns are resolved to date.

Applicant Sean Lake, from Pew and Lake PLC, shared a presentation on behalf of the Schnepf family. He highlighted the annexation process to officially bring Schnepf Farms into the town boundaries and the rezoning of the property to Agritainment and C-2. Mr. Pew said it is consistent with the General Plan and the rezone allows them to continue and to incorporate additional agritainment themes to maintain and enhance this unique area of town.

Council thanked the Schnepfs' for their contributions to the Town over the years and appreciate what they have created. They were supportive of the rezone and look forward to future success.

MOTION:	To approve Ordinance 728-20, Case P19-0032 Schnepf Farms PAD Rezone subject to Conditions of Approval.
RESULT:	Approved unanimously (6-0)
MOVER:	Robin Benning, Council Member
SECONDER:	Jake Hoffman, Council Member
AYES:	Barney, Wheatley, Benning, Brown, Hoffman, Oliphant
ABSENT:	Turley

12. Final Action: *If you wish to speak to the Town Council on any of the items listed under Final Action, please address the Town Council by sending an email to PublicComment@queencreek.org (limited to 500 words – identify your name, address and whether you wish your comment to be read at the meeting or just submitted as part of the written record) or by WebEx (instructions at QueenCreek.org/WatchMeetings). Speakers are limited to three (3) minutes each. Only one comment (either by email or by WebEx) per person per Agenda Item will be allowed and comments without identifying name and address will not be read or submitted as part of the written record.*

- A. Consideration and Possible Approval of Resolution 1349-20 declaring public need and necessity and a public purpose; authorizing the acquisition of certain facilities and property of Diversified Water Utilities, Inc., and authorizing the Mayor, Town Manager, and Town Attorney to acquire title to such facilities and property on behalf of the Town by eminent domain, Resolution 1350-20 approving a Settlement Agreement between the Town of Queen Creek and Diversified Water Utilities, Inc. and Resolution 1351-20 authorizing the application for a drinking water state revolving fund loan from the Water Infrastructure Finance Authority of Arizona (WIFA) in an amount not to exceed \$15 million, for the acquisition of Diversified Water Utilities, Inc.

Financial Services Manager Marc Skocypec presented information on the acquisition. He said it was an opportunity that arose and was a joint effort from Water, Legal, Finance and Communications departments to make it work. He outlined the location of the Queen Creek & Diversified Water Utility systems and said it is immediately adjacent to the southeast corner of our water service area. He reviewed the strategic benefits to the Town:

- Expands our build-out customer base by 15,000 water customers, adds capacity to our system and allows us to continue to maintain low costs. No cost increase to Queen Creek or Diversified customers.

Queen Creek Town Council
Regular Session Minutes
May 20, 2020
Page 8 of 9

- The acquisition supports our current financial objectives and is immediately self-funding.
- The two systems can be easily interconnected because of the close proximity, with no change in municipal boundaries.
- Favorable credit market for borrowing money.
- The Town of Queen Creek and Diversified Water are willing parties with agreed upon settlement terms.

Mr. Skocypec discussed potential additional benefits to town customers, developers and Diversified customers and concluded with the next steps and follow-up processes. He stated that we could see town ownership by calendar year end.

Pinal County Board of Supervisor Mike Goodman, 731 W Redfern Grove, San Tan Valley spoke in support of the acquisition via WebEx.

Council was in support of the opportunity and said an important factor was the mutual and the agreeable terms between parties.

MOTION: To approve Resolution 1349-20 declaring public need and necessity and a public purpose; authorizing the acquisition of certain facilities and property of Diversified Water Utilities, Inc., and authorizing the Mayor, Town Manager, and Town Attorney to acquire title to such facilities and property on behalf of the Town by eminent domain, Resolution 1350-20 approving a Settlement Agreement between the Town of Queen Creek and Diversified Water Utilities, Inc. and Resolution 1351-20 authorizing the application for a drinking water state revolving fund loan from the Water Infrastructure Finance Authority of Arizona (WIFA) in an amount not to exceed \$15 million, for the acquisition of Diversified Water Utilities, Inc.

RESULT: Approved unanimously (6-0)

MOVER: Jake Hoffman, Council Member

SECONDER: Julia Wheatley, Vice Mayor

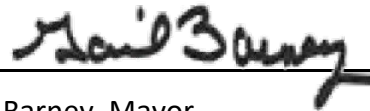
AYES: Barney, Wheatley, Benning, Brown, Hoffman, Oliphant

ABSENT: Turley

13. Adjournment

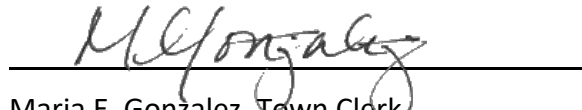
The meeting adjourned at 7:30 p.m.

TOWN OF QUEEN CREEK



Gail Barney, Mayor

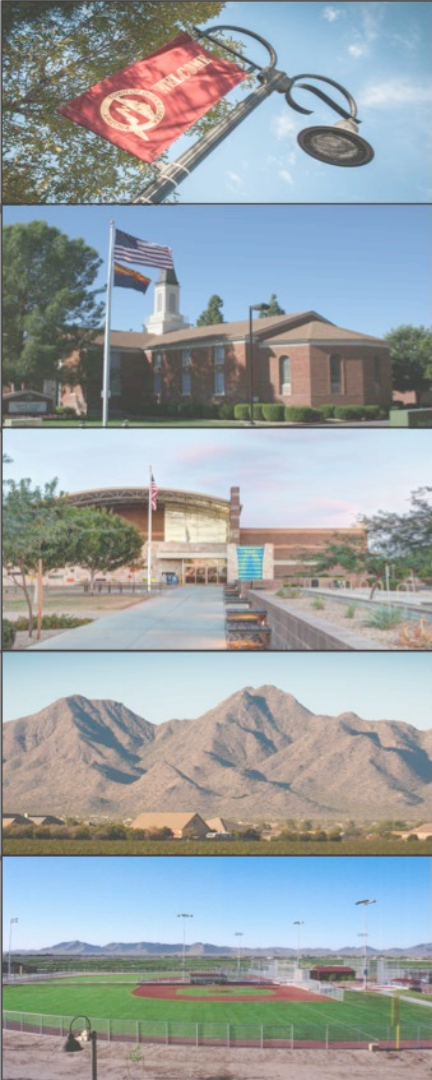
ATTEST:



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 May 20, 2020 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 June 17, 2020.



Council Committee Reports (1)

- 05/07 – GPEC Mayors and Supervisors Meeting (Barney, Wheatley)
- 05/07 – League GAHRE Meeting (Brown)
- 05/07 – COVID-19 Update Call with Senator Sinema (Barney)
- 05/07 – League BFED Meeting (Brown)
- 05/07 – Maricopa County Public Health COVID-19 Update Call for Municipal Leadership (Oliphant, Wheatley)
- 05/07 – Representative Gosar Joint Town Hall with USDA State Director Jack Smith (Barney)
- 05/08 – COVID-19 Update Call with Senator McSally (Barney)
- 05/11 – Town Council Budget Committee Meeting (Oliphant, Wheatley)
- 05/12 – Virtual Chamber Networking Luncheon (Oliphant, Wheatley)
- 05/13 – National COVID-19 Briefing Call with State, Local, and Tribal Officials (Barney, Brown)
- 05/13 – MAG Transportation Policy Committee Meeting (Barney)
- 05/14 – COVID-19 Update Call with Senator Sinema (Barney)



Council Committee Reports (2)

- 05/14 – Maricopa County Public Health COVID-19 Update Call for Municipal Leadership (Barney, Oliphant, Wheatley)
- 05/18 – Pinal County Interfaith Meeting (Barney)
- 05/20 – MAG Nominating Committee Meeting (Barney)
- 05/20 – MAG Regional Council Meeting (Barney)