



MINUTES

Regular Session

Queen Creek Town Council

Community Chambers, 20727 E. Civic Parkway

March 3, 2021

6:30 PM

1. Call to Order:

The meeting was called to order at 7:01 p.m.

2. Roll Call: (Members of the Town Council may attend electronically and/or telephonically)

Gail Barney	Mayor	Present
Dawn Oliphant	Vice Mayor	Present via WebEX
Robin Benning	Council Member	Present
Jeff Brown	Council Member	Present via WebEx
Leah Martineau	Council Member	Present
Emilena Turley	Council Member	Present
Julia Wheatley	Council Member	Present via WebEx

3. Pledge of Allegiance:

Led by Mayor Barney.

4. Invocation/Moment of Silence:

A moment of silence was held for our communities across the Nation that are hurting from 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.

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

1. Economic Development Commission (February 24, 2021)

Chairman Shane Randall reported on a presentation from Phoenix-Mesa Gateway Airport Business Director Shea Joachim. The presentation included airport development, a new traffic control tower and new passenger airline routes. The Commission was introduced to two Major General Plan Amendments and the next meeting is scheduled for March 24, 2021.

2. Parks and Recreation Advisory Committee (March 2, 2021)

Council Member Brown reported on a presentation with three updated design concepts for the East Park Site. The Committee voted unanimously to recommend approval of a preferred design concept to Council, which will be presented at the April 7 Town Council 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 address the Town Council by completing a Request to Speak Card and turn it into the Town Clerk, sending an email to PublicComment@queencreek.org by 6:30 p.m. on March 3, 2021 (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.*

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.*

Council Member Turley commented on Consent Agenda Item B (1) and said she appreciated that item as a positive revenue source to the Town.

MOTION: To approve the Consent Agenda.

RESULT: Approved unanimously (7-0)

MOVER: Robin Benning, Council Member

SECONDER: Emilena Turley, Council Member

AYES: Barney, Oliphant, Benning, Brown, Martineau, Turley, Wheatley

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- A. Consideration and possible approval of the February 3, 2021 and February 17, 2021 Regular Session Minutes.
 - B. Consideration and possible approval of expenditures over \$25,000. (FY 20/21 Budgeted Items)
 - 1. Winner's Circle - Stall Bedding/Shaving Contract: \$40,000 (Economic Development - HPEC - FY20/21 Budgeted Item)
 - C. Consideration and approval of the "Final Plat" of Hancock - The Academy, a request by Hancock Communities LLC.
 - D. Consideration and possible approval of Amendment No. 1 with CS Engineering and Constructability Reviews and expenditure authorization in an amount not to exceed \$500,000 for project design and construction related services. (Included in the FY21/22 Adopted CIP Budget)
 - E. Consideration and possible approval of a Job Order with MGC Contractors, Inc. in an amount not to exceed \$357,321 for the construction of a water line along Ocotillo Road from 186th Street to Sossaman Road, Project #WA062. (FY20/21 Budgeted Item)
 - F. Consideration and possible approval of a First Amendment to the On-Call Project Order 31 with Sunrise Engineering for engineering services as needed increasing the total project order by \$20,000 for a total not to exceed amount of \$44,999. (FY20/21 Budgeted Item)
 - G. Consideration and possible approval authorizing the Town Manager to execute a Letter Agreement between the Town of Queen Creek, AZ and the United States Bureau of Reclamation regarding the advance of funds for the United States to review a proposed partial assignment and transfer of the GSC Farm, LLC Colorado River Water Delivery Contract Entitlement to the Town of Queen Creek, and further authorizing the Town Manager to Execute any amendments thereto and authorizing any necessary budget adjustments within the scope of the Letter Agreement and as it may be amended hereafter.
- 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. Discussion on the Town's Current Processes for Licensing and Permitting Food Trucks.

Breena Watson, 20258 S. 196th Street and Ashley Gerardo, 18629 E Via de Palmas, Queen Creek, owners of the Exchange Coffee Trailer spoke in support of Item 9(A). They said they are looking for the permitting fees to be reasonable and similar to adjacent municipalities.

Senior Planner Sarah Clark gave a brief presentation on Town processes and the costs involved to operate a mobile food truck in Town limits. Ms. Clark said the business license section of the Town Code, which includes peddlers and transient merchants was adopted

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in 1994 and the Town's Zoning Ordinance relating to Temporary Use Permits for mobile food vending was adopted in 1999. She said no amendments to either section have been made since adoption.

Town Manager Kross explained that peddlers, door to door solicitors and mobile food trucks are broadly defined in the Code under an old reference that was commonly used to define these uses for many years in many cities.

Ms. Clark reviewed permit costs in Queen Creek and also showed a comparison of costs to operate in other East Valley cities. She noted that Queen Creek's annual fees for a temporary use permit and a peddler's license is \$1250. Fees in other cities range from \$0 in Pinal County, to a high of \$1582 in Tempe. Ms. Clark briefly explained the zoning requirements and instances when a business would need to obtain a Temporary Use Permit (TUP) and where food trucks are allowed to operate.

Council discussed options to lower fees and to simplify the process but were also cognizant of the existing brick and mortar businesses and the costs they incur to do business. They discussed fees in surrounding communities and recognized the benefits of a simplified process that also provides checks and balances.

Council had additional questions on the purpose and costs of the Temporary Use Permit. Ms. Clark explained that the TUP is required for food trucks if they are open to the public (not for private events) and they address parking, safety and clean up and are for a period of 90 days. She explained the difference between TUP and special events, such as the Food Truck Festival or Lemonade Days, which fall under Parks & Recreation and the Special Event Process.

Council asked staff to look at possible scenarios to simplify the process and evaluate fee structures. They asked staff what the costs are to administer the peddler license and the TUP and directed staff to provide options for a future discussion and action on whether to make changes to the process or keep it the same.

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 items on the Public Hearing Consent Agenda by completing a Request to Speak Card and turn it into the Town Clerk, 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. None.

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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 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. None.

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 completing a Request to Speak Card and turn it into the Town Clerk, 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 1401-21 authorizing the project finance applications for Clean Water (WIFA CW 018-2021) and Drinking Water (WIFA DW 049-2021) State Revolving Fund Loans from the Water Infrastructure Finance Authority of Arizona in an amount not to exceed \$70 million for the construction of system-wide water and wastewater infrastructure.

MOTION: To approve Resolution 1401-21 authorizing the project finance applications for Clean Water (WIFA CW 018-2021) and Drinking Water (WIFA DW 049-2021) State Revolving Fund Loans from the Water Infrastructure Finance Authority of Arizona in an amount not to exceed \$70M for the construction of system-wide water and wastewater infrastructure.

RESULT: Approved unanimously (7-0)

MOVER: Emilena Turley, Council Member

SECONDER: Jeff Brown, Council Member

AYES: Barney, Oliphant, Benning, Brown, Martineau, Turley, Wheatley

Finance Director Scott McCarty outlined the infrastructure needs for water and wastewater to keep up with the growth the Town is experiencing and for anticipated

needs going forward. To maintain service levels and provide for new development \$130M must be spent over the next three years on a variety of important project

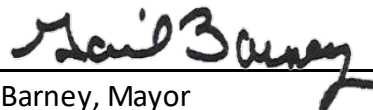
Mr. McCarty explained the financing for existing debt and future debt and said it will come from two sources: (1) Water Infrastructure Finance Authority (WIFA) and (2) traditional bank financing. Mr. McCarty reviewed the benefits of a WIFA loan and the low rates that it offers for projects that can qualify. He said the Town does not have a utility bond rating at this time and the traditional bank loan is interim financing needed as a bridge until we get the bond rating, which is a two-year process.

Mr. McCarty also addressed the need for an additional five positions that are all directly related to these projects. He concluded with a timeline for the WIFA process and said more specifics on financing and a list of specific projects will be presented prior to June 30.

13. Adjournment


The Regular Session adjourned at 8:03 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 Regular Session Minutes of the March 3, 2021 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 March 17, 2021



Council Committee Reports

- 02/19 – EVTI Action Sub Committee Meeting (Benning)
- 02/21 – International Mother Language Day Virtual Event (Benning)
- 02/24 – MCDPH Weekly Municipalities, Tribal and Partner Webinar (Barney)
- 02/24 – MAG Regional Council Meeting (Barney)
- 02/24 – Virtual Town Hall with Supervisor Goodman (Barney, Brown)
- 02/25 – CAG Legislative Day Virtual Meeting (Benning)
- 02/25 – Meeting with Nirav Patel (Barney)
- 02/26 – Virtual Meeting with Pinal County, Resolution Copper, Nikola, Lucid, ACA (Brown)
- 02/26 – Banner Health Center QC Expansion Grand Opening (Barney)
- 03/02 – PRAC Meeting (Brown)
- 03/03 – MCDPH Weekly Municipalities, Tribal and Partner Webinar (Barney)