



**Minutes**  
**Regular Session**  
**Queen Creek Town Council**  
Community Chambers, 20727 E. Civic Parkway  
March 17, 2021  
6:30 PM

**1. Call to Order:**

The meeting was called to order at 6:30 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	Absent
Leah Martineau	Council Member	Present
Emilena Turley	Council Member	Present
Julia Wheatley	Council Member	Absent

**3. Pledge of Allegiance:**

Led by Council Member Martineau.

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

A moment of silence was held for our communities across the Nation that are hurting, for individuals that lost loved ones and for those serving our country.

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

**A. Great Neighbor Recognition (Video)**

Mayor Barney recognized Jen Masse, who organized a Christmas light parade around Town to help spread cheer in Queen Creek in 2020. A short video recognizing Jenn for being a Great Neighbor was shown and Council presented her with the Great Neighbor award and a gift bag.

**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.

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

1. Downtown Arts and Placemaking Advisory Sub-Committee (March 11, 2021)  
Council Member Benning reported on a presentation from the Town's legal team on murals and the First Amendment. The committee also discussed the Public Mural & Art Application. The Shop QC bag contest was narrowed down to four top designs that were voted on by the public. Council Member Benning congratulated contest winners, Thatcher Ganes and Ariel Marin, and presented a photo of the new shopping bags designs. The bags will be available in the next two months. The next meeting was scheduled for April 8, 2021.

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](mailto:PublicComment@queencreek.org) by 6:30 p.m. on March 17, 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.*

None.

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 pulled Consent Agenda Item C for a separate vote. Staff pulled Consent Agenda Item E for a brief presentation

<b>MOTION:</b>	<b>To approve the Consent Agenda minus Item C &amp; E.</b>
<b>RESULT:</b>	<b>Approved unanimously (5-0)</b>
<b>MOVER:</b>	Robin Benning, Council Member
<b>SECONDER:</b>	Emilena Turley, Council Member
<b>AYES:</b>	Barney, Oliphant, Benning, Martineau, Turley
<b>ABSENT:</b>	Brown, Wheatley



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- A. Consideration and possible approval of the March 3, 2021 Regular Session Minutes.
- B. Consideration and possible approval of expenditures over \$25,000. (FY 20/21 Budgeted Items)
  - 1. Pumpman Waterworks - Well Maintenance & Repairs: \$1,000,000 (Utilities)
  - 2. Motorola Solutions - Communications Equipment for the Queen Creek Fire and Medical Department: \$37,000 (Fire & Medical)
  - 3. Hughes Fire Equipment - Clean Cab Seat Conversion for Fire Apparatus: \$60,000 (Fire & Medical)
  - 4. Courtesy Chevrolet - Purchase 2022 Chevrolet 1/2 Ton Pickup: \$36,105 (Fire & Medical)
  - 5. Dito - Google Licensing Update/Renewal: \$65,000 (Workforce Technology)
  - 6. Econolit Systems - Centrac Advanced CCTV Module Software: \$49,250 (Public Works - Traffic)
- C. Item C was pulled from the Consent Agenda for a separate vote.
- D. Consideration and possible approval of Resolution 1402-21 of the Mayor and Common Council of the Town of Queen Creek, Arizona, Approving and Authorizing the Town Manager and/or Department Director(s) to sign any and all documents and/or Agreements and to pay all costs necessary in order to acquire interest in real and/or personal property located within Pinal County at the northeast corner of Schnepf Road and Rolling Ridge Road for the proposed Satellite Utility Campus and listed in Exhibit A attached and their successors in interest through gift, purchase, or eminent domain and identifying the real and personal property as necessary for the Schnepf Road Satellite Utility Campus (WW272) and necessary budget adjustments, not to exceed \$650,000.
- E. Item E was pulled from the Consent Agenda for a presentation.
- F. Consideration and possible approval of Ordinance 748-21, Case P20-0149 The Residences at QC Commons Annexation, a proposed annexation of approximately 9.97 acres, located approximately 1,200 feet north of the northeast corner of Ellsworth and Riggs roads.

**Item(s) Pulled from Consent Agenda:**

- C. Consideration and possible approval of the Agreement between the Queen Creek Cultural Foundation (QCCF) and the Town of Queen Creek in an amount not to exceed \$50,000. (FY20/21 Budgeted Item)

Council Member Martineau commented that she supports public art but said this is not the proper role of government.

<b>MOTION:</b>	<b>To approve the Consent Agenda C.</b>
<b>RESULT:</b>	<b>Approved (3-2)</b>
<b>MOVER:</b>	Robin Benning, Council Member
<b>SECONDER:</b>	Dawn Oliphant, Vice Mayor
<b>AYES:</b>	Barney, Oliphant, Benning
<b>NAYES:</b>	Martineau, Turley
<b>ABSENT:</b>	Brown, Wheatley

- E. Consideration and possible approval of Resolution 1403-21 of the Mayor and Common Council of the Town of Queen Creek, Arizona, approving and authorizing the Town Manager and/or Department Director(s) to sign any and all documents and/or agreements and to pay all costs necessary in order to acquire interest in real and/or personal property located within Maricopa County at the southwest corner of Meridian Road and the Queen Creek Wash listed in Exhibit A, and to acquire approximately 354.25 acre-feet of groundwater extinguishment credits, through gift, or purchase, and identifying the real and personal property as necessary, and related budget adjustments, not to exceed \$2,460,000.

Assistant Town Manager Bruce Gardner provided a brief presentation on the purchase agreement with Rittenhouse 55 Lender, LLC to acquire land and groundwater extinguishment credits for the purpose of a future water treatment facility and future recreational amenities. He summarized the location and benefits of the property, future options and appraisal details.

Deputy Utilities Director Marc Skocypec said the property is ideally located in the center of our water service area and said the primary purpose of the acquisition is the recharge of treated effluent. He presented several examples of how we can manage the site and provide passive recreation opportunities similar to what other cities have done with their recharge facilities. He noted that the property falls within Town's agritainment area making it a good fit for recreational uses. He said the community would benefit directly and indirectly for generations.

Council commented on the benefits of an assured water supply, the creative ways to use the land for utilities and recreational uses and said they appreciated the work from staff on this item.

<b>MOTION:</b>	To approve the Consent Agenda E.
<b>RESULT:</b>	Approved unanimously (5-0)
<b>MOVER:</b>	Robin Benning, Council Member
<b>SECONDER:</b>	Leah Martineau, Council Member
<b>AYES:</b>	Benning, Oliphant, Barney, Martineau, Turley
<b>ABSENT:</b>	Brown, Wheatley

**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. Police Department Status Report/Update**

Police Chief Randy Brice gave an update on monthly activity and goals for the QC Police Department. He provided information on court operations; recruitment; officer testing and background checks; dispatch services and details on the Academy, which will be held in the fall. The Academy will include 500 hours of team transition training for specific job functions.

Goals and future activities will continue to focus in the areas of recruitment, equipment needs and contract/IGA management. Chief Brice reported on meetings, public outreach and community activities that were attended by himself and his two lieutenants.

Chief Brice gave a brief summary on women in law force and said that the department is committed to attracting more female applicants and diversity through the recruitment process. He said that although the applications received have been predominately male, we are trying to create a diverse organization and representation of our community. He said quality and values are a priority and we will always hire the best candidates available.

Chief Brice concluded with a reminder to the public that the Queen Creek Police Department does not start until January 2022 and is not yet active. At this time, Maricopa County Sheriff's Office is still in place.

**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](mailto: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](http://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 a Series 6 Bar license application submitted by Lauren Kay Merrett on behalf of Fat Cats Entertainment Center, 20660 E Riggs Road, Queen Creek, AZ 85142.

Mayor Barney opened the public hearing.

David Wells, Project Manager for the Church of Jesus Christ Latter Day Saints, spoke in regards to their future church site on Riggs Road. He had concerns regarding alcohol being served within the required 300 foot setback. He would like to be on record that they reserve the right to make sure nothing infringes on their setback protection. He said they have no objection to Fat Cats in general.

Darrin Christensen, 20740 E Raven Drive, Queen Creek spoke in opposition of Item 10(A). He would like the Church to retain its rights to not have liquor served within 300 feet of its property.

Mayor Barney gave a reminder that the State issues liquor licenses and the Town Council's role is to give a recommendation only to the State Liquor Board. He said residents could submit comments to the State Liquor Board if desired.

Council Member Benning had concerns that the representation of the closest church was noted as only one church, but there are actually several churches. He asked the Planning Department to ensure there is no outdoor or special event liquor consumption approved in the future that would infringe on the 300' requirement.

Vice Mayor Oliphant asked for confirmation that an approval of the liquor license application is in compliance with the state statute, and that the vacant site in question does not have a church. Also by approving the application, it will not hinder the construction of a church in the future.

Town Attorney Mitesh Patel indicated that there is no violation of the statute as there currently is no church erected within 300'. He added that the statute states that the 300' requirement is from the actual church building and not the property line.

Mayor Barney closed the public hearing.

<b>MOTION:</b>	<b>To approve the Public Hearing Consent Agenda.</b>
<b>RESULT:</b>	<b>Approved unanimously (5-0)</b>
<b>MOVER:</b>	Emilena Turley, Council Member
<b>SECONDER:</b>	Leah Martineau, Council Member
<b>AYES:</b>	Barney, Oliphant, Benning, Martineau, Turley
<b>ABSENT:</b>	Brown, Wheatley

**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](mailto: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](http://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 action on Ordinance 749-21, Case P20-0150 and P20-0151 The Residences at QC Commons PAD Rezone and Site Plan, a request for a PAD rezone from R1-43 and R1-35 to Medium Density Residential (MDR)/PAD and Site Plan approval for 270 units on approximately 26.07 acres, generally located at the northeast corner of Ellsworth and Riggs roads, wrapping the future Fry’s Marketplace center.

Senior Planner Sarah Clark introduced The Residences at QC Commons PAD Rezone and Site Plan located at the northeast corner of Ellsworth and Riggs road, wrapping the future Fry’s Marketplace center, for a Medium Density Residential (MDR) project consisting of 270 units. She pointed out the surrounding properties and existing zoning.

The applicant is requesting a PAD Rezone from R1-43 and R1-35 to all MDR and a Site Plan for 270 dwellings on 26.07 acres. The site plan consists of a mix of attached and detached single story homes with private backyards. It includes 505 parking spaces and 20% of open space proposed with 4.2 acres of active open space.

Ms. Clark said there is one proposed PAD deviation reducing building separation from 15 feet to 10 feet. She noted that this has been approved at all other similar developments of this kind in Town.

Ms. Clark gave a brief overview of elevations, floor plans and the landscape plan that includes a 30-foot landscape buffer along the Ellsworth and Riggs Road frontages. She pointed out several unique amenities to the project:

- Fenced in lighted walking paths surrounds the entire community maximizing the use of the 30-foot buffer
- Increase the trees in the area that is adjacent to existing 1-acre lots to beef-up the buffer
- Removal all landscaping that is toxic to horses
- Includes pedestrian gates at access points to Fry’s Marketplace center
- Each garage will come with a garage door opener and garage closets for extra storage to encourage that garages will be used for parking
- Multi-use trails with connections to Ellsworth Road & Riggs providing access to the Sonoqui Wash trail

Ms. Clark reported on neighborhood meetings and said the Planning & Zoning Commission approved the project with a unanimous 6-0 vote.

Mayor Barney opened the public hearing. There were no public comments.

Council Member Benning asked if there are any homes currently constructed on the one-acre lots on 210th Place, the property east of the site. Ms. Clark said there has been recent construction and the applicant has maintained communication with those owners.

Vice Mayor Oliphant said that one story multi-family is needed in the community and she complemented the final product and the outreach performed by the applicant.

Adam Baugh of Whitney Morris PLC, representative for the applicant, said the success of the project is due to the insight provided by staff, which caused us to do extensive outreach behind the scenes with neighbors. He appreciated the Planning staff for their role in what he said is a great project for the Town.

<b>MOTION:</b>	<b>Motion to approve Ordinance 749-21, Case P20-0150 and P20-0151 The Residences at QC Commons PAD Rezone and Site Plan, a request for a PAD rezone from R1-43 and R1-35 to Medium Density Residential (MDR)/PAD and Site Plan approval</b>
<b>RESULT:</b>	<b>Approved unanimously (5-0)</b>
<b>MOVER:</b>	<b>Emilena Turley, Council Member</b>
<b>SECONDER:</b>	<b>Leah Martineau, Council Member</b>
<b>AYES:</b>	<b>Barney, Oliphant, Benning, Martineau, Turley</b>
<b>ABSENT:</b>	<b>Brown, Wheatley</b>

**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](mailto: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](http://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 changes to the Small Business Grant Program and related budget adjustments based on the direction of the Town Council.



Economic Development Director Doreen Cott thanked her staff and multiple departments across the organization for their help on this program. She provided Council with a recap of the program goals, application and distribution processes and program results.

Ms. Cott said \$500,000 was initially allocated to launch the program and as of February 20, 2021, staff received 125 applications totaling \$520,385. Staff approved and funded all of the \$500,000, leaving three applications unfunded and one application partially funded.

Ms. Cott asked Council to consider the following options and provide direction for the program:

- **Option 1** - extend program to end of the fiscal year and fund all eligible applications that are received between now and June 30, 2021
- **Option 2** - extend program, increase the funding limit by an agreed upon amount (staff recommends \$150k) and end when total amount of funds are awarded
- **Option 3** - end the program now but fund the last 3 applications received and fully fund the partially funded application bringing the total amount for this program to \$520,385.
- **Option 4** - end the program now at the \$500k total amount funded

Mayor Barney preferred Option 2 for first-time applications only and was open to revisit if necessary.

Council Member Benning asked staff to confirm that the initial funds were from the CARES Act and not from the Town budget and no Town programs were affected by implementing this program. Staff replied yes. Council Member Benning liked Option 2, and supports continued help to our small businesses.

Council Member Martineau liked both Option 1 & 2.

Vice Mayor Oliphant preferred Option 2 but was not opposed to Option 1 and was open to revisit if necessary.

Council Member Turley echoed everyone's thoughts and preferred Option 1, but would support Option 2 with the option to revisit if necessary.

Council directed staff to inform them if funds are running low and to come back before funding runs out. Council also said no secondary requests from the same businesses.

<b>MOTION:</b>	<b>Motion to approve changes to Small Business Grant Program based on Option 2 to extend the program, increase the funding limit by \$150,000 and end the program when the total amount of funds are awarded and no secondary requests from the same businesses.</b>
<b>RESULT:</b>	<b>Approved unanimously (5-0)</b>
<b>MOVER:</b>	<b>Robin Benning, Council Member</b>
<b>SECONDER:</b>	<b>Dawn Oliphant, Vice Mayor</b>
<b>AYES:</b>	<b>Barney, Oliphant, Benning, Martineau, Turley</b>
<b>ABSENT:</b>	<b>Brown, Wheatley</b>

### 13. Adjournment

The Regular Session adjourned at 7:56p.m.

TOWN OF QUEEN CREEK

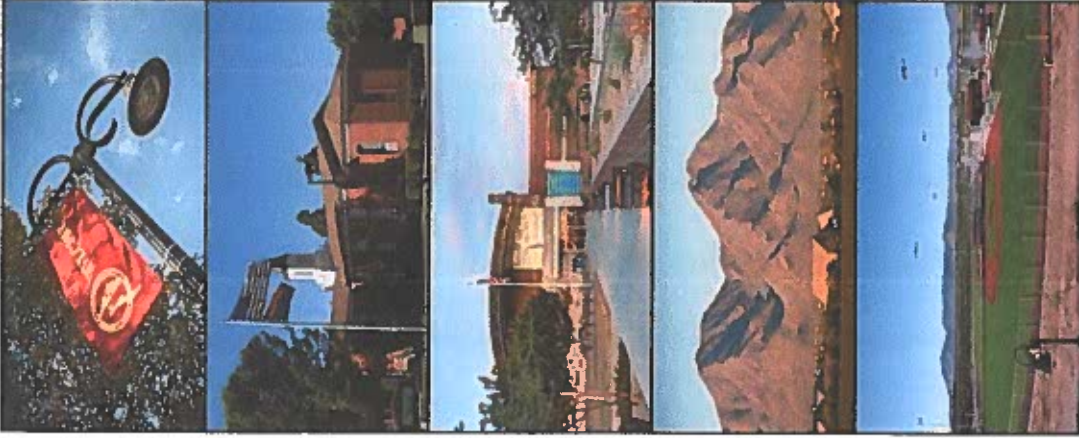
  
\_\_\_\_\_  
Gail Barney, Mayor

ATTEST:

  
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Maria E. Gonzalez, Town Clerk

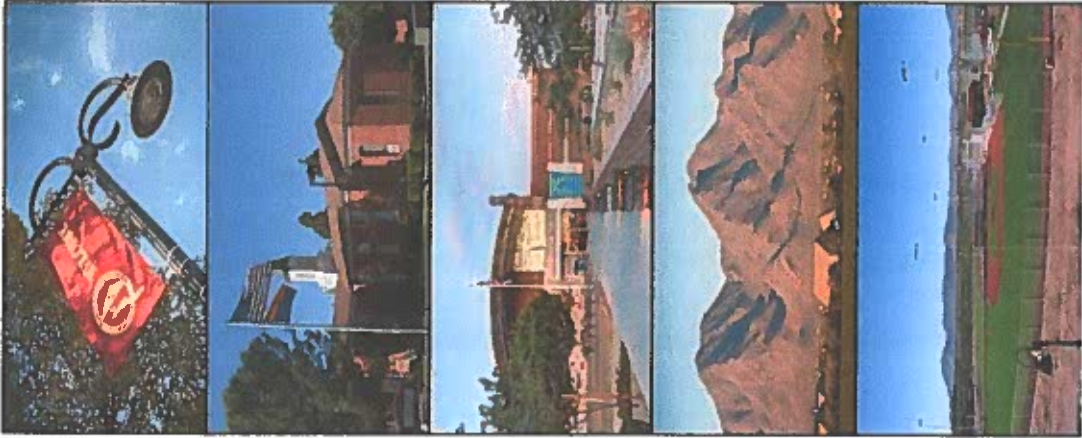
I, Maria E. Gonzalez, do hereby certify that to the best of my knowledge and belief, the foregoing Minutes are a true and correct copy of the Regular Session Minutes of the March 17, 2021 Regular Session of the Queen Creek Town Council. I further certify that the meeting was duly called and that a quorum was present.

Passed and approved on April 7, 2021.



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

- 03/04 – GPEC Mayors and Supervisors Council Meeting (Oliphant)
- 03/04 – East Valley Mayor’s Luncheon (Barney)
- 03/04 – Barney Farms Water Tank Wrapping Demonstrations (Barney, Martineau)
- 03/04 – EVP Board of Directors Meeting
- 03/04 – Rec Connect / Get Moving Filming (Oliphant)
- 03/05 – EVCCA Mayor’s Roundtable (Barney)
- 03/05 – EVTI Action Sub-Committee Meeting (Benning)
- 03/08 – Fire Station #5 Groundbreaking Ceremony (Barney)
- 03/10 – MCDPH Weekly Municipalities, Tribal and Partner Webinar (Barney)
- 03/10 – Meeting with Perry Rea, Queen Creek Olive Mill Owner (Barney)
- 03/11 – Valley Partnership City / County Committee Meeting (Barney)



## **Council Committee Reports (2)**

- 03/11 – Downtown Arts & Placemaking Advisory subcommittee Meeting (Benning)
- 03/13 – Scout Troop 3738 Court of Honor (Benning)
- 03/16 – Phoenix-Mesa Gateway Airport Board Meeting (Barney)
- 03/17 – MCDPH Weekly Municipalities, Tribal and Partner Webinar (Barney)
- 03/17 – MAG Transportation Policy Committee Meeting (Barney)
- 03/17 – PRTA Board Meeting (Benning)